

PROPOSED AGENDA

COUNCIL MEETING

October 4, 2011

7:00 PM

CALL TO ORDER – Mayor Sammy Phillips

PLEDGE OF ALLEGIANCE

INVOCATION

ADOPTION OF AGENDA AND CONSENT ITEMS

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COUNCIL MINUTES

SPECIAL WORKSHOP MEETING

September 20, 2011

A special workshop meeting of the City Council of the City of Jacksonville was held Tuesday, September 20, 2011 beginning at 5:00 PM in Meeting Rooms A and B of the Jacksonville City Hall. Present were: Mayor Sammy Phillips, presiding; Mayor Pro-Tem Michael Lazzara and Council Members: Jerry A. Bittner, Fannie K. Coleman, Randy Thomas, Bob Warden, and Jerome Willingham. Also present were: Richard Woodruff, City Manager; Ron Massey, Assistant City Manager; Gayle Maides, Interim Finance Director; Glenn Hargett, Communications and Community Affairs Director; Mike Yaniero, Police Chief; Rick McIntyre, Fire Chief; Grant Sparks, Public Services Director; Reggie Goodson, Planning and Development Services Director; Carolyn Lampe, Deputy City Clerk; and John Carter, City Attorney. *An audio recording of the Council Meeting is presently available for review in the City Clerk's Office.

CALL TO ORDER

Mayor Sammy Phillips called the meeting to order at 5:00 PM.

ADOPTION OF AGENDA

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas, and unanimously approved to adopt the agenda as presented.

LAND APPLICATION SITE UPDATE

Using the PowerPoint presentation attached to the official minutes as Exhibit A, Seth Ward, President of Premier Forestry & Environmental Consulting, presented a forest management update on the land application site. Activities conducted included thinning for timber harvest, fire line installation, and boundary line maintenance. Eighty acres had been thinned, three miles of low impact fire lines had been installed and pre-work was completed in areas that would be prescribed for controlled burn in the fall and spring. About four miles of property lines had been posted to identify property boundaries from adjoining land owners. Net revenues from the timber harvest for the City was \$11,558.35. Future scheduled forest management activities included first thinning, second thinning, final harvest on certain blocks that had reached their maturity, reforestation from the final harvest, prescribed burns in the area

recently thinned, more fire line installation, and boundary line maintenance. Mr. Ward stated that by July 1 there should be between 4 to 5 prescribed burns depending on the weather and acreage size. The goal for thinning and harvesting by July 1 was 1,000 acres.

Mayor Phillips asked about reforestation and the types of trees planned. Mr. Ward stated that the plan was for a pine plantation with different species. Currently, the pine market was good. There would be an experimental phase to see which trees worked best, but they were considering loblolly and slash pine. When the site was first reviewed it was found that the slash pine did better than the loblolly pine, but the slash pine was subject to ice damage.

Mr. Woodruff stated that when they were ready for reforestation, it would be brought back to Council for their decision.

Mayor Pro-Tem Lazzara asked about the condition of the dying trees and if it had leveled out. Mr. Ward stated there were some new trees dying because of the native southern pine beetle, but he had not seen a growing population of dead and dying trees.

Councilman Thomas asked if there was a big impact from Hurricane Irene. Mr. Ward responded that there was an impact to the spray line, some of the dying trees previously identified had broken off, but there was minimal damage to the majority of the trees.

Mr. Woodruff stated that there were about 2,000 trees down in the irrigation area that would need to be cut out, but that was not a large number overall.

Mayor Phillips stated it was good to see things going forward. Mr. Woodruff stated that the next update would be presented to Council in late November or early December.

TRANSIT SYSTEM DEVELOPMENT PLAN

Mr. Woodruff stated that the Federal government helped fund the transit system and encouraged the City to conduct a five year review of the program including a survey of riders and non-riders. The consultant would present an overview of those surveys as well as proposed modifications to the routes. Council was not being asked to approve anything tonight, but their thoughts and suggestions were requested.

Bethany Whitaker, consultant with Nelson Nygaard; stated that a steering committee made up of individuals from the City, County, MPO representatives from the hospital, community college and military installations also participated in the work. The group met four or five times and a lot of the ideas in the recommendation came out of that process.

Using the PowerPoint presentation attached as Exhibit A, Ms. Whitaker presented an overview of the study, an overview of the system, a financial overview, and recommendations. Schedules and ridership patterns were reviewed as well as growth and development patterns. The ridership poll showed an interest in transit coverage in the Georgetown and Bell Fork areas, more direct service to Western Blvd., service later in the evening and more weekend day service. It was also found that the route going into Tarawa Terrace and Midway Park had low utilization and was inconvenient to the general public. There was interest especially from those in the military for a bus to Wilmington. For the express service, there were requests for more frequent Friday evening service, starting earlier on Saturday and Sunday, and extending service from the Jacksonville Mall to McDaniel Drive. They had also found that one reason people were not riding the bus was because they did not know about it; therefore, marketing needed to be more comprehensive.

Recommendations included reduction of travel time, service to underutilized areas, creation of a new route from Yopp Road to Western Boulevard, extending weekday evening service, and improving service to Coastal Carolina Community College. Other ongoing recommendations included offering daily, weekend, and monthly passes that could be purchased at several locations, creating and strengthening partnerships with the bases and the community college, and online marketing targeting those in the 15 – 30 age range.

Mayor Pro-Tem Lazzara asked if the work included more prominent stop locations and shelters which would let people know the stops were there. Ms. Whitaker said yes, that noticeable stops were one of the biggest marketing tools the system had.

Councilman Bittner asked if the monthly pass would be considered on a set number of calendar days or unlimited ridership. Ms. Whitaker stated the pass could be designed any way the City chose, but usually it was based on 20 work days in a month for a price, but they could ride as many times as they wanted.

Mayor Phillips asked Ms. Whitaker's thoughts on park and rides. She said if the bus had its own lane and was faster, then it might work.

In regard to building awareness and to get people to experiment with riding on the system, they had looked at reduced fares or a free seasonal program such as during the Thanksgiving holiday.

Mr. Woodruff stated the current plan, pending Council's endorsement, would be to open up the bus system for free rides the Friday, Saturday and Sunday after Thanksgiving. This would give citizens the experience and incentive in riding the bus. He also stated that by taking the system out to the Yopp Road development area, it would open up the downtown and Georgetown areas to that shopping area.

It was the consensus of Council to support the free ride plan described by Mr. Woodruff.

Mayor Pro-Tem Lazzara asked if that promotion could be offset by JTDA dollars since it was marketing for tourism. Mr. Massey stated he would have to research that.

Councilman Willingham asked if Cherry Point came up in the discussion when Wilmington was mentioned by the military members since people also commute from there. Mr. Prinz stated that it did not come up with this project, but the military had more resources to make connections between the bases.

Mayor Pro-Tem Lazzara asked if there had been any discussions on connections to the airport. Ms. Whitaker stated there were discussions, but given the distance the demand was very small and it would be difficult to make it cost effective. Mr. Woodruff suggested looking at a direct leg from the Airport to the Bases. Mr. Prinz also suggested a demand-response service to serve the Airport and Bases.

RECESS/RECONVENE

Mayor Phillips recessed the meeting for a break at 5:46 PM. Mayor Phillips reconvened the meeting at 6:01 PM.

FIRST RESPONSE PHASE II

Using the PowerPoint presentation attached as Exhibit A, Rick McIntyre, Fire Chief, provided a recap of First Response Phase I and then a detailed overview of the First Response Phase II Report. Chief McIntyre outlined the typical tasks performed by First Response in terms of trauma and cardiac calls. Many of these tasks were time sensitive. The study showed that because of the number of tasks, the more people on the scene, the more effective the care. A listing of the basic tasks showing the different levels that could be performed by the police department; fire department, and EMS were reviewed. Each level supplemented the other. Chief McIntyre reviewed the percentage of first responder calls by district on a three year average. Typically it was evenly distributed. He also reviewed the average number of calls and unit hours per engine and squad on first responder calls.

Discussion followed on 911 calls and which departments were dispatched and when. Depending on the situation, dispatch protocol was to call the fire department first, then after the dispatcher asked more questions, the police department second, and EMS third.

Councilman Bittner stated that when the first responder program was first started, one of the criticisms was the excess mileage of the fire trucks appearing on the scene. Chief McIntyre stated that hours were tracked rather than mileage and the vehicle replacement schedule had not changed either way. Mr. Woodruff pointed out that the vehicle hours saved by not running the engine was probably only about 100 hours a year. Councilman Bittner stated that had been his point in the past. In municipalities the size of Jacksonville, the equipment became outdated before it was worn out.

Chief McIntyre stated that they looked at a lot of options, but only brought five forward for Council to consider: 1) Continue as is, police priority change; 2) Dispatch upgrades to emergency medical dispatch (EMD), police upgrade to FR/EMT level of training; 3) Add two Quick Response Vehicles (QRV) plus 15 personnel; 4) Add two QRVs, upgrade existing personnel; and 5) Establish fire-based EMS service for City (2 ambulances).

Using Exhibit A, Major Patrick Traitor reviewed the police department's current role in the first responder program and their level of training. Option 1 would continue their involvement as is, but would upgrade their response to Priority 1 which would reduce response time. Option 2 would certify the officers as credentialed medical responders and Option 2a would make the police department primary first responders.

Discussion followed on costs and impacts to the police department. Mr. Woodruff stated they wanted Council to see Option 2a, but it was not being recommended because of the impact it would have on the police department's primary purpose of law enforcement.

After the five options were discussed, Chief McIntyre recommended that Options 1 and 4 be used. Option 1 would continue the program as is but change Police priority to Priority 1 while the Fire Department responded through Option 4 which added two QRVs and upgraded existing personnel. He further recommended that they report back to Council in 12 months on the effectiveness of the changes to see if they were going in the right direction.

Council pointed out their reasoning behind requesting this study had been in hopes of finding ways to provide the same or better service at greater efficiency in costs and operations. Discussion followed on the proposals and recommendations in terms of operations, personnel,

costs, and where efficiencies could be realized; however, no decision was reached at this time on the recommendation.

RECESS

Mayor Phillips recessed the meeting at 6:59 PM in order for Council to convene the Regular Council Meeting scheduled to begin at 7:00 PM.

RECONVENE/ ADJOURNMENT

Mayor Phillips reconvened the Special Meeting immediately following the adjournment of the Regular Meeting.

A motion was made by Councilman Willingham, seconded by Council Member Coleman and unanimously adopted to adjourn the Special Meeting at 8:16 PM.

COUNCIL MINUTES

REGULAR MEETING

September 20, 2011

A Regular Meeting of the City Council of the City of Jacksonville was held Tuesday, September 20, 2011 beginning at 7:00 PM in the Council Chambers of City Hall. Present were: Mayor Sammy Phillips presiding; Mayor Pro-Tem Michael Lazzara and Council Members: Jerry Bittner, Fannie K. Coleman, Randy Thomas, Bob Warden and Jerome Willingham. Also present were: Richard Woodruff, City Manager; Ronald Massey, Assistant City Manager, Gayle Maides, Interim Finance Director; Glenn Hargett, Communications and Community Affairs Director; Mike Yaniero, Police Chief; Rick McIntyre, Fire Chief; Grant Sparks, Public Services Director; Carolyn Lampe, Deputy City Clerk; and John Carter, City Attorney. *An audio recording of the Council Meeting is presently available for review in the City Clerk's Office.

CALL TO ORDER

Mayor Sammy Phillips called the meeting to order at 7:07 PM.

PLEDGE OF ALLEGIANCE

Council Member Fannie K. Coleman led the Pledge of Allegiance.

INVOCATION

Mr. John Carter pronounced the invocation.

ADOPTION OF AGENDA AND CONSENT ITEMS

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas and unanimously approved to adopt the agenda as amended to add two Consent Items – Land Purchase Budget Amendment and License Agreement – New Cingular Wireless PCS, LLC; amend Non-Consent Items #7 – Bid Award – FY11-12 Street Reclamation and #8 – Bid Award – Tallman St & Court St Road Improvements; and to include in Closed Session, the discussion of the property acquisition of 111 Marine Blvd., pursuant to General Statute 143-318.11, subsection (a-5) and personnel matters, pursuant to General Statute 143-318.11, subsection (a-6).

ADOPTION OF MINUTES

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Warden, and unanimously adopted to approve the minutes of the Special Workshop Meeting held September 6, 2011, the minutes of the Regular Meeting held September 6, 2011, and the minutes of the Emergency Meeting held September 9, 2011 as presented.

PUBLIC COMMENT

There was no one present desiring to speak at this public comment section.

NEW BUSINESS

CONSENT ITEMS

AUTHORIZATION TO CONDEMN FINANCIAL GUARANTEES

As directed by Council, staff requested authorization to process condemnation of the financial guarantee held by the City for King's Drive Thru if the developer was unable or unwilling to extend the Surety Agreement.

Council authorized staff to process condemnation of the financial guarantee if the developer was unwilling or unable to provide proper surety and to extend the Surety Agreement.

BUDGET AMENDMENT- 2011 EDWARD BYRNE JUSTICE ASSISTANCE GRANT

The Police Department requested adoption of a Budget Amendment to appropriate the funding of the 2011 Edward Byrne Justice Assistance Grant (Non-Recovery Act). The City of Jacksonville had been awarded \$28,847 in funding for the purchase of equipment to improve police operations.

Council approved the Budget Amendment.

Ordinance 2011-51, Bk. 10, Pg. 510

VOLUNTARY ANNEXATION PETITION – BHP WESTERN (JOHN PIERCE) –
5.57 TOTAL ACRES- CAROLINA FOREST AREA

On behalf of BHP Western, John Pierce, managing partner, submitted a voluntary annexation petition for annexation of 5.57 total acres that were contiguous to the current City limit boundaries. Tract one (2.05 acres) was located adjacent to Carolina Forest Blvd across from The Arbors in Carolina Forest. Tract two (3.52-acres) was located adjacent to Emerdale Apartments in Carolina Forest. Both tracts were planned to add acreage to a larger project proposed for abutting property that was already inside the City limits.

The future project was tentatively proposed to accommodate a six building/88 unit 94,839 square foot apartment complex. The first step in the Voluntary Annexation process was to pass a Resolution directing the City Clerk to investigate the sufficiency of the petition.

Council adopted the Resolution as presented.

Resolution 2011-24, Bk. 6, Pg. 401

TAX RELEASES, REFUNDS, AND WRITE-OFFS

The County/City Tax Collector and the City's Finance Director recommended releases, refunds, and write-offs of property taxes. The detail list of these tax releases and refunds (the listing by property name, amount, reason, etc.) was available in the Finance Office for review.

Council approved the tax releases, refunds and write-offs.

APPROVAL OF REVISED LEACHATE AGREEMENT WITH ONSLOW COUNTY

The Leachate Agreement with Onslow County expired and the City had been working with them to renew the agreement. The change in the agreement was not to exceed the amount of \$100,000 in any one year period. The City and County worked together to include additional language that stated the owner would execute a change order authorizing an increase if necessary. The agreement would renew for a period of 5 years.

Council approved the new Leachate Agreement

LAND PURCHASE BUDGET AMENDMENT

Property had become available in the downtown area on Newberry Street. Council approved the purchase of this property, and an offer on a parcel of land between Old Bridge Street, Highway 17 and the New River during closed session on September 6, 2011. Money was available in the Capital Reserve Fund to purchase these properties from the sale of the tract of land in the Jacksonville Business Park. That sale netted the City \$241,870. To accomplish Council directives, a budget amendment needed to be approved.

Council approved the Budget Amendment for \$180,000 to purchase these properties in the downtown area.

Ordinance 2011-56, Bk. 10, Pg 516

LICENSE AGREEMENT – NEW CINGULAR WIRELESS PCS, LLC

New Cingular Wireless PCS, LLC was interested in expanding their wireless coverage in Jacksonville. They approached the City several months ago about installing wireless communication equipment on the Commons Water Tank property as well as on the water tank

itself. The proposed License Agreement was a seven year non-renewable agreement which included an up-front fee to recoup the cost of the construction of the corral and a yearly rental rate based on the number of antennas on the corral that were occupied. The yearly rental rate was tied to the All Urban Consumers -- All Items Consumer Price Index (CPI-U). Beginning July 2013 and annually thereafter, the annual license fee would be increased by a percentage equal to the percentage increase of the CPI-U for the previous 12 months as reported by the Department of Labor.

Council authorized the City Manager to execute the License Agreement with New Cingular Wireless PCS, LLC as presented.

NON-CONSENT ITEMS

BID AWARD – BARRUS LIFT STATION PROJECT

Mr. Frank Sanders, Project Manager, stated that on August 31, 2011, staff received nine bids for the Barrus Lift Station Project which, upon completion, would include the replacement of the existing sewage lift station with a new lift station located on the same site adjacent to the existing station. The new lift station would have three submersible pumps, generator, variable frequency drive and SCADA modifications and upgrades. Mr. Sanders stated that the low bid was well within the budgeted amount of \$982,000. He recommended that the project be awarded to R.D. Braswell Construction Company of Smithfield, NC based upon a review of the bids received.

A motion was made by Councilman Bittner, seconded by Councilman Willingham, and unanimously approved to award the bid to R. D. Braswell Construction Company in the amount of \$625,800.00 for the construction of the Barrus Regional Lift Station.

BID AWARD – FY11/12 STREET RECLAMATION PROJECT

Mr. Frank Sanders, Project Manager, stated that the FY11/12 Street Reclamation Project was originally advertised to open bids on August 26, 2011; however, because only one bid was submitted, the bid was returned, unopened to the bidder. The project was then re-advertised and on Friday, September 16, 2011, staff received one bid for the project. The 14 street projects, upon completion, would include pavement reclamation of approximately 48,000 square yards of existing roadway, replacement/installation of approximately 1,050 linear feet of concrete curb and gutter, 600 square yards of replacement driveway entrances, replacement of underground traffic signalization control wires at two intersections and other associated work. Mr. Sanders

stated that this was the largest reclamation project to date undertaken by the City.

Councilman Warden asked what was the staff's estimated amount for the project. Mr. Sanders stated that the estimated amount was \$1.8 million.

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas, and unanimously adopted to approve the Budget and CIP Amendments and award the bid to Barnhill Contracting Company, including the three Add Alternates in the total amount of \$1,375,386.00.

Ordinance 2011-52, Bk. 10, Pg. 511

Ordinance 2011-53, Bk. 10, Pg. 512

BID AWARD – TALLMAN STREET & COURT STREET ROAD IMPROVEMENTS

Gregory K. Meshaw, Senior Civil Engineer, stated that on Friday, September 16, 2011, staff received bids for the Tallman Street and Court Street Road Improvements project. The impetus for the project was a request made by the County to execute a project to narrow Tallman Street at the new Justice Complex. The work would result in the Tallman Street roadbed immediately adjacent to the County's Justice Complex being rehabilitated and narrowed so as to preclude parking adjacent to it. New sidewalks and planter strips would be constructed on the north side of Tallman Street and along Court Street from its intersection with Tallman Street northward to the entrance to the County parking lot. The work was intended to satisfy the County's needs related to their Justice Complex while also creating a streetscape consistent with the streetscape planned as part of the City's Center for Public Safety. Staff proposed to include rehabilitation of the rest of the Tallman Street roadbed from the Justice Complex to Riverview Street given the advantageous pricing obtained. The project also included replacement of water lines which were in need of repair, and removal of the electric line poles. The City would provide conduit for the placement of underground lines by Progress Energy and Time-Warner Cable. This project was not currently in the approved CIP and was proposed to be added. Mr. Meshaw stated that the project low bid came in about \$50,000 under estimate.

Mr. Woodruff restated that the project had been initiated by the County. The County Manager asked the City to evaluate the proposal they received for the work because they did not have staff that evaluated street projects. Through intergovernmental cooperation, Council will be saving the County and taxpayers approximately \$65,000. This shows why it is important to have a great relationship between the County and City. Mr. Woodruff stated that this was a continued step in the Downtown Revitalization Program. The City has also been meeting with property

owners on the opposite side of Court Street regarding improvements that will properly rebuild that side of the street. A program mirroring the necessary improvements would be recommended to Council in next year's CIP discussions.

Councilman Bittner asked if the written narrative stating that the County had committed \$124,000 towards the project was still accurate. Mr. Meshaw stated yes.

A motion was made by Councilman Bittner, seconded by Councilman Thomas and unanimously adopted to approve a Budget Amendment in the amount of \$254,000.00 and an amendment to the CIP for the project; and to award the bid to Morton Trucking, Inc. in the amount of \$220,641.17.

Ordinance 2011-54, Bk. 10, Pg. 513

Ordinance 2011-55, Bk. 10, Pg. 515

PUBLIC COMMENT

There was no one present desiring to speak at this public comment section.

REPORTS

NORTH CAROLINA EASTERN REGIONAL (NCER) BOARD

Mayor Pro-Tem Lazzara stated he was asked to serve on the NCER Board and had attended his first meeting. He thanked Senator Harry Brown for his recommendation and for nominating him to serve on the Board. He provided Council Members with the budget report for FY11/12 Budget and said that a presentation was given to the Board by Mark Sunderland, Executive Director for the Military Growth Task Force. He presented a summary of the Task Force initiatives and accomplishments along with the drawdown plan. Within the next 12 months their work would be completed. PlanIt East, made up of nine local counties, would continue their work. Mayor Pro-Tem Lazzara also provided a few quick statistics on Onslow County. In the past year, employment was up by .02%, sales tax receipts had increased by 16%, and Ellis airport passengers had increased by 14% which was the largest increase in the State.

BOBBY SIMPSON MEMORIAL AWARD

Council Member Coleman stated that nominations were being accepted for the Bobby Simpson Memorial Award. Applications could be found on the City website or by calling the City Clerk's office. Nominations were due by September 30.

HURRICANE IRENE UPDATE

Mr. Woodruff thanked several department heads and supervisors for the excellent leadership they provided during the clean-up. He reported that about 90% of the horticultural debris from Hurricane Irene has been removed. He asked all residents to place any remaining debris on the curb by next week. Significant strides had been made in the City during the past 10 days. The first complete sweep of the City should be completed by Friday. The plan was to have the entire City completed by October 15. Mr. Woodruff stated that about 90,000 cubic yards of debris had been collected in the past 3 ½ weeks. That amount equated to 9 football fields stacked 6 feet high. He added that FEMA reimbursement to the City for removal would end soon. He asked that residents not park their cars on the street so that the street sweepers could remove debris from clogging drains.

PATRIOTS DAY

Mayor Phillips congratulated members of the Civic Affairs committee for the fine job they did on the Patriot Day events and for the work of the G10 staff for broadcasting the events.

CLOSED SESSION

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas, and unanimously approved to recess the Regular Meeting at 7:35 PM in order to convene a Closed Session for the purpose of discussing the property acquisition of 111 Marine Blvd., pursuant to General Statute 143-318.11, subsection (a-5) and personnel matters, pursuant to General Statute 143-318.11, subsection (a-6).

RECONVENE

Mayor Phillips reconvened the Regular Meeting at 8:14 PM and stated there was no reportable action.

ADJOURNMENT

A motion was made by Mayor Pro-Tem Lazzara, seconded by Council Member Coleman, and unanimously adopted to adjourn the Regular Meeting at 8:15 PM.



City Council Presentation

Presentation Item: A Date: 10/4/2011

Subject: Proclamation – Onslow Oktoberfest

Department: Mayor's Office

Prepared by: Carmen Miracle, City Clerk

Presentation Description

Onslow Community Outreach is sponsoring the fourth annual Onslow Oktoberfest in downtown Jacksonville at Riverwalk Crossing Park on October 22, 2011. Proceeds benefit Onslow Community Outreach Soup Kitchen, Homeless Shelter, Caring Community Clinic and Christmas Cheer.

To bring attention to Oktoberfest, a Proclamation has been requested by Onslow Community Outreach.

The following will be present to accept the Proclamation:

Don Herring, Chairman of the Board, Onslow Community Outreach
Diana DeVusser, Vice Chair of the Board & Honorary Chair of Oktoberfest
Karin Hudson, Volunteer Event Coordinator for Oktoberfest
Theo McClammy, Executive Director of Onslow Community Outreach

Action

Present Proclamation to Don Herring, Diana DeVusser, Karin Hudson, and Theo McClammy.

Attachments:

A Draft Proclamation

City of Jacksonville
North Carolina
Proclamation

Whereas, Onslow Community Outreach is sponsoring the fourth annual Onslow Oktoberfest in downtown Jacksonville on Saturday, October 22, 2011 from 10:00 AM until 9:00 PM at Riverwalk Crossing Park; and,

WHEREAS, activities will include live entertainment, children's area, arts and crafts, food vendors and a 5K run; and,

WHEREAS, the proceeds from this event will support the Soup Kitchen, Homeless Shelter, Christmas Cheer and Caring Community Clinic; and,

WHEREAS, Onslow Community Outreach is dedicated to bringing together the talent, people and resources in Jacksonville in a collaborative effort to feed the hungry, shelter the homeless, heal the sick and provide for other unmet human needs;

NOW THEREFORE, I, Sammy Phillips, Mayor of the City of Jacksonville, do hereby proudly proclaim Saturday, October 22, 2011 as

“ONSLOW OKTOBERFEST DAY”

in the City of Jacksonville and encourage all residents to celebrate and contribute to the efforts of Onslow Community Outreach in helping people in need.

Mayor

Attest: _____

City Clerk

Attachment

A



City Council Presentation

Presentation Item: B Date: 10/4/2011

Subject: Proclamation – Fire Prevention Week
Department: Fire Department
Prepared by: Rick McIntyre, Fire Chief

Presentation Description

The second week in October is Fire Prevention Week. During this time, the Jacksonville Fire Department works hard to motivate Jacksonville's residents to keep themselves, their families, and the community safe from fire.

The City of Jacksonville would like to recognize these outstanding efforts with a Proclamation naming October 9-15, 2011, as Fire Prevention Week in the City of Jacksonville.

Action

Present Proclamation to John Reed, Fire Marshall

Attachments:

A Draft Proclamation

City of Jacksonville
North Carolina
Proclamation

Whereas, the City of Jacksonville is committed to ensuring the safety and security of all those living in and visiting our City; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,500 people in the United States in 2009, and fire departments in the United States responded to more than 360,000 home fires; and

WHEREAS, Jacksonville's fire personnel are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Jacksonville residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2011 Fire Prevention Week theme, "It's Fire Prevention Week. Protect your Family from Fire!" effectively serves to remind us all of the simple actions we can take to keep our homes and families safe from fire during Fire Prevention Week and year-round;

NOW THEREFORE, I Sammy Phillips, Mayor of the City of Jacksonville do hereby proclaim October 9 - 15, 2011 as

"FIRE PREVENTION WEEK"

throughout the City, and I urge all the people of Jacksonville to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2011, and to support the many public safety activities and efforts of Jacksonville Fire Department.

Mayor

Attest: _____

City Clerk

Attachment

A



City Council Presentation

Presentation Item: C Date: 10/4/2011

Subject: Yard and Business of the Month Beautification Awards

Department: Recreation and Parks

Prepared by: Michael Liquori, Recreation and Parks

Presentation Description

Dr. and Mrs. Ken Morgan residing at 122 Drayton Hall and Pete Burgess of Chick-fil-A 1405 Western Boulevard have been recommended to receive a Yard of the Month award from the Beautification and Appearance Commission for outstanding personal property appearance.

Councilman Bob Warden is the Council appointed Liaison to the Beautification and Appearance Commission.

Dr. and Mrs. Ken Morgan will be present to accept the Residential Yard of the Month Award.

Tiffany Choice will be present to accept the Business Yard of the Month Award.

Action

Present Residential Yard of the Month Award to Dr. and Mrs. Ken Morgan.

Present Business Yard of the Month Award to Tiffany Choice of Chick-fil-A.

Attachments:

None



City Council Presentation

Presentation Item: D Date: 10/4/2011

Subject: St. Julia AME Zion Church Presentation to City Council

Department: Development Services

Prepared by: Lillie R. Gray

Presentation Description

St. Julia AME Zion Church would like to thank the City Council and City staff for their financial support of their After-School and Summer Enrichment Programs. A plaque will be presented and a brief video shown.

Action

Call upon Reverend Dodson, ST Julia AME Zion Church to provide the Presentation to Council

Attachments:



Presentation Information

Presentation Item: D

St. Julia AME Zion wishes to thank the City Council and City staff for their financial support of their After-School and Summer Enrichment Program. Community Development Block Grant funds received in 2010 were used to purchase computer and office equipment, educational software and to assist with installation of the plumbing, HVAC and electricity needed to complete the renovation of the daycare space.

As a result of this investment, St. Julia AME Zion Church, through its partnership with James C. Brown Youth Center, Inc., has served 130 youth since 2010. With the help of Dr. Audrey Toney, during the 2011 summer enrichment program, students had an opportunity to learn about the world of robotics. Through the Robotics Academy, students learned a variety of skills such as construction, collaboration, critical thinking, programming, data analysis and problem solving. Students in grades kindergarten through high school also participated in an extensive curriculum of math and science. The students had supervised access to ten computers to learn the math and science skills in addition to basic computer skills such as internet search engines and keyboarding.

St. Julia AME Zion Church is extremely thankful for your support of the programs we offer and the children we serve.



City Council Presentation

Presentation Item: E Date: 10/4/2011

Subject: Weed & Seed Report on Program - A Community Conversation: Closing the Gap

Department: Police

Prepared by: Mike Yaniero, Chief of Police

Presentation Description

The Weed and Seed Prevention, Intervention and Treatment (PIT) subcommittee recently presented a special program entitled: A Community Conversation: Closing the Gap.

Mr. Oliver Hill, subcommittee member, will provide an overview of the program to Council.

Action

Call on Mr. Oliver Hill, Northeast Community Development to provide the report.

Attachments:

A Closing the Gap Program



Presentation Information

Presentation Item:	E
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Weed & Seed – Special Program

A Community Conversation: Closing the Gap

On Saturday, September 17, 2011, the City of Jacksonville Weed and Seed Project, in conjunction with a variety of area agencies, sponsored a special workshop program held at St. Julia AME Zion Church.

The purpose of the workshop, in conjunction with the Weed & Seed Program, was to hold a "Community Conversation" on the topic of Closing the Gap: Closing the Achievement Gap for the African American Male. The program was attended by over 125 participants attending two breakout sessions. Each panel held a question and answer session at its conclusion.

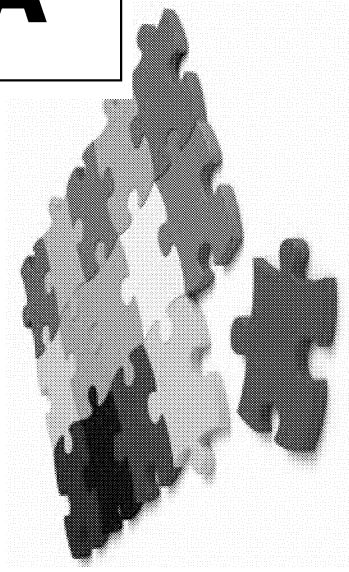
The event opened with a prayer by Reverend Robert Blackwell and greetings from City Council Member Fannie Coleman. Subcommittee Member Oliver Hill provided an introduction of the workshop and introduced the first speaker, Ed E. Bill, Ph.D. Dr. Bell spoke to the group about addressing the needs of black males and presented a broad framework for the day's conversations.

Panel 1 topics were: Education, Employment and Criminal Justice. The Panel members were: Mr. Bobby McClain, Mr. Reginald Roy, Mr. Gerald Wingate and JPD Sergeant Norman Davis. The panel was moderated by Lt Colonel Charlie Johnson, USMC Retired.

Panel 2 topics were Community Leadership, Faith, Health & Wellness. Panel members were: Mr. Ernie Wright, Dr. Wilbert Cain, Mr. Grant Baldwin, Reverend Joel Churchwell and Mr. Prentis Campbell. This panel was moderated by Mr. Philip Cherry.

Lunch was provided by the Jacksonville Weed & Seed Steering Committee. During the luncheon, Chief Yaniero spoke on the topic of the importance of prevention and building community partnerships. The workshop ended with a wrap up and closing session presented by Mr. Bobby McClain and Mr. Oliver Hill.

Chief Yaniero and Community Programs Coordinator Carmella Fulcher will be available to answer any questions from Council



Closing The Gap:

Closing the Achievement Gap for the African American Male.

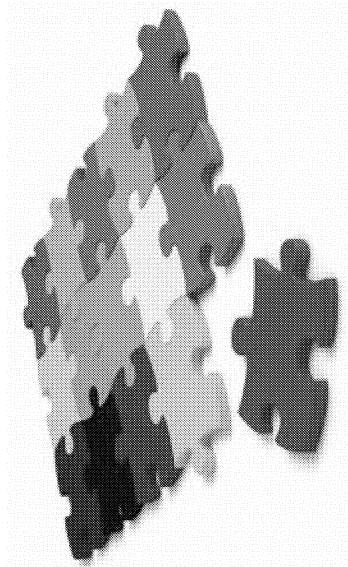
Sponsored by the City of Jacksonville Weed & Seed Project, Dads Willing to Be Dads, North East Community Development Corporation, Rho Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., Phi Lambda Lambda Chapter of Omega Psi Phi Fraternity, Inc. and the Eta Theta Sigma Chapter of Phi Beta Sigma Fraternity, Inc.

**Lunch provided by
Jacksonville Weed & Seed
Steering Committee**

8:30AM • Saturday, September 17, 2011
St. Julia AME Zion Church



A Community Conversation:
Education, Employment, Faith, Criminal Justice, Health & Wellness & Leadership.



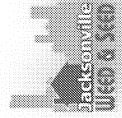
Closing The Gap:

Closing the Achievement Gap for the African American Male.

Sponsored by the City of Jacksonville Weed & Seed Project, Dads Willing to Be Dads, North East Community Development Corporation, Rho Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., Phi Lambda Lambda Chapter of Omega Psi Phi Fraternity, Inc. and the Eta Theta Sigma Chapter of Phi Beta Sigma Fraternity, Inc.

**Lunch provided by
Jacksonville Weed & Seed
Steering Committee**

8:30AM • Saturday, September 17, 2011
St. Julia AME Zion Church



A Community Conversation:
Education, Employment, Faith, Criminal Justice, Health & Wellness & Leadership.

The Program

9:00AM	Registration, Prayer and Welcome <i>Opening Prayer will be given by Rev. Robert Blackwell. Greetings will be given by City Councilwoman Fannie Coleman and an introduction of the workshop and morning speaker will be given by Mr. Oliver Hill.</i>
Opening Presentation	Addressing The Needs of Black Males <i>Ed E. Bell, Ph.D</i> Dr. Bell will present a broad framework for the day's conversations.
9:30 AM	Education, Employment, Criminal Justice <i>Moderated by Lt. Colonel Charlie Johnson (USMC RET), Management Analyst, Business Performance Office MCB Camp Lejeune</i> Panel Members: Mr. Bobby McClain - Former Principal, Onslow County Schools Mr. Reginald Roy - Employment Security Commission/Onslow County Job Link Mr. Gerald Wingate - Human Resources Director, MCI East Command Sergeant Norman Davis - Jacksonville Police Department
Panel 1	Panel Q & A
10:45AM	Community Leadership, Faith, Health & Wellness <i>Moderated by Phillip Cherry, Director of Onslow County Library Services</i> Panel Members: Attorney Ernie Wright - Wright Law Firm & Former Onslow County Commissioner Dr. Wilbert Cain - VA Outpatient Clinic Mr. Douglass Griffin - Special Project Minority Initiatives Coordinator, NC Dept of HHS Mr. Grant Baldwin - Independent Mental Health Consultant Rev. Joel Churchwell - Pastor, Sandy Run Missionary Baptist Church Mr. Prentis Campbell - Commander, NAVETS Marine Chapter #0054
Panel 2	Panel Q & A
12:15PM	The Importance of Prevention: Building Community Partnerships <i>Presented by Chief Mike Yaniero, Jacksonville Police Department</i> <i>Mr. Bobby McClain & Mr. Oliver Hill.</i>
Lunch	
Wrap-Up & Closing	

The Program

9:00AM	Prayer and Welcome <i>Opening Prayer will be given by Rev. Robert Blackwell. Greetings will be given by City Councilwoman Fannie Coleman and an introduction of the workshop and morning speaker will be given by Mr. Oliver Hill.</i>
Opening Presentation	Addressing The Needs of Black Males <i>Ed E. Bell, Ph.D</i> Dr. Bell will present a broad framework for the day's conversations.
9:30 AM	Education, Employment, Criminal Justice <i>Moderated by Lt. Colonel Charlie Johnson (USMC RET), Management Analyst, Business Performance Office MCB Camp Lejeune</i> Panel Members: Mr. Bobby McClain - Former Principal, Onslow County Schools Mr. Reginald Roy - Employment Security Commission/Onslow County Job Link Mr. Gerald Wingate - Human Resources Director, MCI East Command Sergeant Norman Davis - Jacksonville Police Department
Panel 1	Panel Q & A
10:45AM	Community Leadership, Faith, Health & Wellness <i>Moderated by Phillip Cherry, Director of Onslow County Library Services</i> Panel Members: Attorney Ernie Wright - Wright Law Firm & Former Onslow County Commissioner Dr. Wilbert Cain - VA Outpatient Clinic Mr. Douglass Griffin - Special Project Minority Initiatives Coordinator, NC Dept of HHS Mr. Grant Baldwin - Independent Mental Health Consultant Rev. Joel Churchwell - Pastor, Sandy Run Missionary Baptist Church Mr. Prentis Campbell - Commander, NAVETS Marine Chapter #0054
Panel 2	Panel Q & A
12:15PM	The Importance of Prevention: Building Community Partnerships <i>Presented by Chief Mike Yaniero, Jacksonville Police Department</i> <i>Mr. Bobby McClain & Mr. Oliver Hill.</i>
Lunch	
Wrap-Up & Closing	



City Council Presentation

Presentation Item: F Date: 10/4/2011

Subject: Report to Council – Beirut Memorial Advisory Commission

Department: Community Programs

Prepared by: Glenn Hargett, Communications & Community Affairs Director

Presentation Description

Abe Rosen, Chairman of the Beirut Memorial Advisory Commission will be in attendance to provide a brief report on the annual activities of the group.

Action

Recognize Abe Rosen, Chairman to present the report.

Attachments:

None



Presentation Information

Presentation Item: F

Report to Council – Beirut Memorial Advisory Commission

Background

The City of Jacksonville's Beautification and Appearance Commission took the lead after the horrific events of October 23, 1983 in which 241 Marines, Sailors and Soldiers were killed in the Beirut Bomb Blast. Most were from 1st Battalion, 8th Marines Regiment permanently stationed at Camp Lejeune.

Subsequently, others were killed in the effort by the Marines to free Grenada while on their way to relieve the severely depleted forces of 1/8.

With the significant loss, our community was stunned, saddened and moved to action to remember those who had been neighbors, fellow church members, coaches and were fathers, brothers and husbands to so many. The first action was by the Jacksonville Beautification and Appearance Commission whose still existing Memorial Tree Program used donations to plant one tree in memory of each man lost.

The donations continued to come, and the Commission was offered 4.5 acres aboard Camp Lejeune for a marker that was to note the action the Community took to dedicate the trees. The concept grew to the current Memorial and statue that now stands as testament to the unique bond of this community to its military members.

On October 23, 2011 at 2 PM, this community will renew its pledge to never forget those who were among us prior to the Beirut Bomb Blast. On this the 28th anniversary of that Sunday morning that changed our community, we will remember the 273 names on the wall, their families and the survivors of what is now viewed by historians as an opening salvo of terrorism against the west.

The Commission

The Beirut Memorial Advisory Commission was formed by the City to continue the annual observance. In 1999, a formal arrangement was created by Camp Lejeune and the City of Jacksonville designating the Beirut Memorial Advisory Board to oversee activities connected to the Memorial. Two members are appointed by the Commanding officer of Camp Lejeune and seven members are appointed by the Mayor who serve at the pleasure of the Mayor or Commanding Officer.

Today, the Commission serves as the full time responsible party for the Beirut Memorial Observance and as the Advisory Board for the physical memorial.

	Abe Rosen, Chairman	
Ronald Bower	Robert Cornell	Mike Ellzey
Reinhild Huneycutt	Wayne Morris	Woody Myers
Glenn Hargett, City Staff Liaison • Fernando Schiefelbein, Military Liaison		



Request for City Council Action

Agenda Item:	1
Date:	10/4/2011

Subject: Public Hearing (*Legislative*) – Zoning Text Amendment – Section 99
Home Occupations and Others

Department: Development Services

Presented by: Jeremy Smith, Senior Planner

Presentation: Yes

Issue Statement

After conducting research of ordinances of other communities, a workshop with the Planning Board, and a review of the draft Unified Development Ordinance (UDO), staff has identified several changes that could be incorporated into Section 99 Home Occupations. As a result, staff has prepared the zoning text amendment found in Attachment A for consideration.

Financial Impact

None

Action Needed

Conduct Public Hearing

Consideration of the updated Zoning Text Amendment

Recommendation

Planning Board recommends Council approve the zoning text amendment found in Attachment C. Staff recommends Council approve the zoning text amendment found in Attachment A.

Approved: ☒ City Manager ☐ City Attorney

Attachments:

- A Proposed Zoning Text Amendment Ordinance
- B Planning Board Minutes – September 12, 2011
- C Proposed Zoning Text Amendment as Recommended by the Planning Board



Staff Report

Public Hearing (*Legislative*) – Zoning Text Amendment Section 99 Home Occupations and Others

Introduction

Over the past few months, staff has reviewed the City of Jacksonville Zoning Ordinance and the draft Unified Development Ordinance (UDO) as it relates to home occupations. In addition, staff researched how home occupations were regulated in other municipalities. These findings were presented to the Planning Board in a workshop setting. During the workshop, the board identified what they would like to see within the ordinance. The following month staff brought the Zoning Text Amendment found in Attachment C to the Planning Board who recommended that it be approved.

Since the Planning Board's workshop and regular meeting, staff has refined a few items which are contained in the proposed Zoning Text Amendment included as Attachment A. Staff recommends that this version of the text amendment be approved by City Council. The following table identifies the notable differences between these two proposals:

	Attachment A (CC)	Attachment C (PB)
Examples of Businesses	Removed	List of Examples
Rezoning Denial - Delay	12 months	6 months
Exterior Evidence	Keeping 1 st Sentence	Eliminated
Within Accessory Structures	Allowed	Not Allowed*
On-site training or sales	Allow with Specifics	No Specifics
Vehicles	Customarily Found at a Residence	Limited to 2 Vehicles, Maximum Weight

*May have been in error

Procedural History

- August 8, 2011 the Planning Board held a workshop to discuss potential changes to Section 99 Home Occupations.
- September 12, 2011 the Planning Board recommended approval of the revisions to Section 99 Home Occupations and others found in Attachment C.
- October 4, 2011 City Council will conduct a public hearing and consider this request.

Stakeholders

- City Staff – Proposed ordinance incorporates additional clarity for what a home occupation is and the limitations associated with a home occupation. In addition, staff would have greater flexibility to add conditions that are deemed necessary in order to protect the residential character and use of the neighborhood.
- Citizens of Jacksonville – Will continue to be allowed to utilize their residences for limited occupations purposes while following criteria which will ensure the integrity of the neighborhood is maintained.

Public Hearing Notification Assessment

"Before adopting, amending, or repealing any ordinance authorized by this Article, the City Council shall hold a public hearing on it. A notice of the public hearing will be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days, nor more than 25 days before the date fixed for the hearing." Notifications in accordance with North Carolina General Statutes have been followed.

Options:

1) Approval of the zoning text amendment found in Attachment A. **(Staff Recommended)**

- Pros: Includes additional clarity of what defines a home occupation and the associated limitations. Provides greater flexibility for staff to add conditions that are necessary in order to protect the residential character and use of the neighborhood.
- Cons: Several refinements, albeit minor were made after the Planning Board meeting.

2) Approval of the zoning text amendment found in Attachment C. **(Planning Board Recommended)**

- Pros: Includes the items as presented and recommended by the Planning Board.
- Cons: Does not include several minor refinements made by City staff following the Planning Board meeting.

3) Defer action on the zoning text amendment.

- Pros: Would allow staff time to acquire additional background information as requested by City Council.
- Cons: None

4) Deny the zoning text amendment

- Pros: None
- Cons: The current ordinance would remain in place. Additional restrictions and clarity would not be incorporated into the ordinance.

ORDINANCE (# 2011-)

AN ORDINANCE AMENDING THE CITY OF JACKSONVILLE ZONING ORDINANCE

BE IT ORDAINED by the Jacksonville City Council that Sections 10 Definitions and 99 Home Occupations of the City of Jacksonville Zoning Ordinance be amended as follows:

~~Strikethrough~~ indicates the proposed deletion of text while underlining indicates a proposed addition to the text.

Section 10. Definitions

Home occupation. ~~An accessory use of a dwelling unit for gainful employment by providing or selling a profession/occupation offering the sale of services and/or goods created and/or assembled on the premises or repair of goods. A limited business activity which is clearly secondary and incidental to the primary use of the residential dwelling for living purposes by a family. Occupational activity is intended to allow employment on an extremely limited basis to occur within the residential structure. A home occupation must therefore be clearly~~ is incidental to and subordinate to the primary use of the building as a residence.

Section 99. Home Occupations.

A. **Intent and Purpose.** This section authorizes the establishment of home occupations that are incidental and customarily subordinate to principal uses. The City of Jacksonville recognizes the desire and/or need for some citizens to use their residence for limited nonresidential activities occupational purposes. However, The City believes that the need to protect the integrity of residential areas is of paramount concern and therefore any use of a residential structure for occupational purposes must be found to be compatible, incidental, and in harmony with the residential neighborhood. A "home occupation", should therefore, should protect the residential areas from any adverse impacts which could resulting from the utilization of the residence for occupational purposes by the occupant of the residence activities associated with home occupations. It is important to allow, but to also regulate, nonresidential activity in the city's residential districts. In essence, a "home occupation" is a Because a home occupation is a form of limited commercial-type activity typically occurring within in an area zoned residential, these regulations are established to clearly protect the residential neighborhood and ensure that the proposed occupational activity within the residence is in keeping with the primary use of the neighborhood for residential purposes. area to an extent that no neighbors or passersby will be aware, by outward appearance, of the activity. In practice, a "home occupation" gives the resident the legal right to use his residence for a business telephone and business mailing address but not to the extent that pedestrian and vehicular traffic are generated.

B. **Definition.** ~~"Home occupation" is accessory use of a dwelling unit for gainful employment by providing or selling a profession/occupation offering the sale of services and/or goods~~

Attachment

A

~~created and/or assembled on the premises or repair of goods. A home occupation is incidental to the primary use of the building as a residence.~~ **Compliance with Zoning Ordinance Requirements.** All home occupations shall conform to the applicable requirements of this Ordinance.

- C. **Performance Criteria.** A home occupation shall meet the following minimum conditions: In order for a home occupation permit to be issued by the City, the following conditions shall be met. These conditions are the minimum conditions the City shall impose. The Development Services Director or his/her designee is authorized to add additional conditions that are deemed necessary in order to protect the residential character and use of the neighborhood:
1. No home occupation will be permitted on property that was previously denied for rezoning to a commercial district within the previous twelve (12) months;
 2. The activity shall not be inconsistent with the use of the premises as a dwelling. Occupational activities shall be clearly secondary and incidental to the primary use of the property as a residence and does not change the character or outside appearance of the residence;
 3. Shall be requested by a person that currently occupies the structure as their primary residence;
 4. The property contains no outdoor display or storage of goods, equipment (excludes motor vehicles and/or enclosed trailers), or services that are associated with the home occupation;
 5. No person(s) other than the resident(s) of the dwelling shall be employed on-site or report to work at the site in the conduct of the home occupation. This prohibition also applies to independent contractors. Only residents of the dwelling unit shall work there;
 6. There shall be no exterior evidence of the conduct of a home occupation, except a sign as permitted in the section entitled "Sign Regulations" of the Jacksonville Zoning Ordinance. Thus, there may be no display of products visible in any manner from the outside of the building;
 7. A Home occupations shall be conducted in an fully enclosed area of a primary or accessory structure. It shall The total square footage of the home occupation(s) shall not occupy over twenty five percent (25%) or 500 square feet, whichever is less of the total combined floor space of primary structures. No portion of a home occupation shall be conducted outside the primary structure, or garage;
 8. Electrical or mechanical equipment that creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit or that creates noise not normally associated with residential

~~uses shall be prohibited; The home occupation does not create noise, vibration, odor, glare, fumes, or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception;~~

9. ~~On-site sales of goods or services not produced on the premises shall be prohibited~~limited to products related to the services provided by the home occupation;
10. A home occupation shall not create a measureable significant increase in traffic within the neighborhood as determined by the zoning administrator Development Services Director or his/her designee;~~in vehicular or pedestrian traffic to the residence;~~
11. ~~The use shall not require additional off-street parking spaces for clients or customers of the home occupation~~ All vehicles used in connection with the home occupation shall be no larger than the size of a vehicle customarily found at a single family residence, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood. The home occupation shall not result in the increase in any parking areas either paved or unpaved whether on the property or on the right of way;
12. No home occupation shall result in an increase of garbage being disposed of beyond the volume normally disposed of for the ~~exceeding standard~~ residential use;
13. A permit for a home occupation is valid for only the original applicant and is not transferable to any resident, address or any other occupation. Upon termination of the applicant's residency, the home occupation permit shall become null and void; and
14. The home occupation shall not be constructed or established prior to the time the principal structure is constructed or established.
15. On-site training and sales promotions regardless of fees are shall not be permitted specifically prohibited. This shall include social gatherings to promote the home occupation;
16. ~~No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, or odor detectable to the normal senses off the property.~~

- D. **Permitted Signs.** ~~(An indirectly lighted name plate or professional sign not over one square foot in area and attached flat against the building shall be permitted in connection with an incidental home occupation) No signs shall be permitted.~~

- E. **Inspections.** ~~An inspector shall have the right at any time, upon reasonable request, to enter and inspect the premises for safety and compliance purposes, with the consent of the property owner.~~ The City reserves the right to enter into the premises from time to time to document that the home occupation is being operated within the guidelines established by this code. The City also has the right to enter the premises and inspect the premises for safety and compliance purposes with the consent of the owner. Failure of the owner to consent to an investigation/inspection of the property could result in the suspension of the home occupation license and eventual termination thereof.

BE IT FURTHER ORDAINED by the City Council of the City of Jacksonville that the Zoning Ordinance may be appropriately reorganized and/or renumbered in the order to set the provisions of this text change in a logical and orderly fashion. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be in full force and effective upon its adoption;

Adopted by the Jacksonville City Council in regular session on this 4th day of October, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk



Draft Planning Board Minutes – September 12, 2011

Agenda Item:	1
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Public Hearing (*Legislative*) – Zoning Text Amendment – Section 99 Home Occupations and Others

Over the past few months, staff has reviewed the City of Jacksonville Zoning Ordinance and draft Unified Development Ordinance (UDO) as it relates to home occupations. In addition, staff researched how home occupations were regulated in other municipalities. After this information was reviewed, staff presented the findings to the Planning Board in a workshop setting. During the workshop, staff identified several changes that could be incorporated into Section 99 Home Occupations that would add clarity and provide better regulations to protect the residential character and use of the neighborhood. Staff has taken the recommendations of the Planning Board and has prepared the Zoning Text Amendment found in Attachment A for consideration. Mr. King went through the highlighted amendments.

City staff is recommending approval of the zoning text amendment as found in the staff report.

**Homer Spring moved to approve zoning text amendment as amended.
Theresa VanderVere seconded the motion.**

Mr. Keyes asked for clarification on the C. Performance Criteria #1 and 6 of the proposed zoning text amendment found in Attachment A. Mr. King provided clarification. A discussion among the board members and staff followed pertaining to parking at a home occupation. As a result, the board recommended that a portion of C. Performance Criteria #12 be eliminated: "and there are no vehicle parking spaces associated with the home occupation" and instead make it as a stand alone performance criteria.

**The motion to approve zoning text amendment as amended was
unanimously approved by the Board Members present.**

Attachment

B

ORDINANCE (# 2011-)

AN ORDINANCE AMENDING THE CITY OF JACKSONVILLE ZONING ORDINANCE

BE IT ORDAINED by the Jacksonville City Council that Sections 10 Definitions and 99 Home Occupations of the City of Jacksonville Zoning Ordinance be amended as follows:

Strikethrough indicates the proposed deletion of text while underlining indicates a proposed addition to the text.

Section 10. Definitions

Home occupation. ~~An accessory use of a dwelling unit for gainful employment by providing or selling a profession/occupation offering the sale of services and/or goods created and/or assembled on the premises or repair of goods.~~ A limited business activity which is clearly secondary and incidental to the primary use of the residential dwelling for living purposes by a family. Occupational activity is intended to allow employment on an extremely limited basis to occur within the residential structure. A home occupation must therefore be clearly is incidental to and subordinate to the primary use of the building as a residence.

Section 99. Home Occupations.

A. **Intent and Purpose.** This section authorizes the establishment of home occupations that are incidental and customarily subordinate to principal uses. The City of Jacksonville recognizes the desire and/or need for some citizens to use their residence for limited nonresidential activities occupational purposes. However, The City believes that the need to protect the integrity of residential areas is of paramount concern and therefore any use of a residential structure for occupational purposes must be found to be compatible, incidental, and in harmony with the residential neighborhood. A "home occupation", should therefore, should protect the residential areas from any adverse impacts which could resulting from the utilization of the residence for occupational purposes by the occupant of the residence activities associated with home occupations. It is important to allow, but to also regulate, nonresidential activity in the city's residential districts. In essence, a "home occupation" is a Because a home occupation is a form of limited commercial-type activity typically occurring within in an area zoned residential, these regulations are established to clearly protect the residential neighborhood and ensure that the proposed occupational activity within the residence is in keeping with the primary use of the neighborhood for residential purposes. area to an extent that no neighbors or passersby will be aware, by outward appearance, of the activity. In practice, a "home occupation" gives the resident the legal right to use his residence for a business telephone and business mailing address but not to the extent that pedestrian and vehicular traffic are generated.

B. **Definition.** ~~"Home occupation" is accessory use of a dwelling unit for gainful employment by providing or selling a profession/occupation offering the sale of services and/or goods~~

Attachment

C

~~created and/or assembled on the premises or repair of goods. A home occupation is incidental to the primary use of the building as a residence.~~ **Compliance with Zoning Ordinance Requirements.** All home occupations shall conform to the applicable requirements of this Ordinance.

- C. **Performance Criteria.** A home occupation shall meet the following minimum conditions- In order for a home occupation permit to be issued by the City, the following conditions shall be met. These conditions are the minimum conditions the City shall impose. The Development Services Director or his/her designee is authorized to add additional conditions that are deemed necessary in order to protect the residential character and use of the neighborhood:
1. Permitted home occupations include, but are not limited to: typing services, telephone sales, barber/beauty services, doctor/dentist office, architects, insurance agency, lawyer, real estate broker, teacher, accountants, food catering, tailoring, and handcrafting. Similar uses may be approved by the Development Services Director;
 2. No home occupation will be permitted on property that was previously denied for rezoning to a commercial district within the previous 6 months;
 3. The activity shall not be inconsistent with the use of the premises as a dwelling. Occupational activities shall be clearly secondary and incidental to the primary use of the property as a residence and does not change the character or outside appearance of the residence;
 4. Shall be requested by a person that currently occupies the structure as their primary residence at the time of the application;
 5. The property contains no outdoor display or storage of goods, equipment (excludes motor vehicles and/or enclosed trailers), or services that are associated with the home occupation;
 6. No person(s) other than the resident(s) of the dwelling shall be employed on-site or report to work at the site in the conduct of the home occupation. This prohibition also applies to independent contractors. Only residents of the dwelling unit shall work there;
 7. There shall be no exterior evidence of the conduct of a home occupation, except a sign as permitted in the section entitled "Sign Regulations" of the Jacksonville Zoning Ordinance. Thus, there may be no display of products visible in any manner from the outside of the building;
 8. A-Home occupations shall be conducted in an fully enclosed area of a primary or accessory structure. The use of attached and/or detached garages and accessory structures are prohibited. It shall The total square footage of the home occupation(s) shall not occupy over twenty five percent (25%) or 500

total square feet, whichever is less of the total combined floor space of the primary and accessory structures. No portion of a home occupation shall be conducted outside the primary structure, or garage;

9. Electrical or mechanical equipment that creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit or that creates noise not normally associated with residential uses shall be prohibited; The home occupation does not create noise, vibration, odor, glare, fumes, or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception;
10. No on-site retail sales, except for of goods or services not produced on the premises are allowed. shall be prohibited. No goods, stock-in-trade, or other commodities shall be displayed;
11. A home occupation shall not create a measureable significant increase in traffic within the neighborhood as determined by the zoning administrator Development Services Director or his/her designee; in vehicular or pedestrian traffic to the residence;
12. The use shall not require additional off-street parking spaces for clients or customers of the home occupation All vehicles used in connection with the home occupation are of a size, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood. In no instance shall any vehicle with a gross vehicle weight exceeding 9,999 pounds be parked, stored, or otherwise maintained at the site of a home occupation. In no instance shall there be more than two business related vehicles, including trailers on the property;
13. No home occupation shall result in an increase of garbage being disposed of beyond the volume normally disposed of for the exceeding standard residential use;
14. A permit for a home occupation is valid for only the original applicant and is not transferable to any resident, address or any other occupation. Upon termination of the applicant's residency, the home occupation permit shall become null and void; and
15. Shall be located on the same lot as the principal use or structure nor shall it be constructed or be established prior to the time the principal use or structure is constructed or established.
16. On-site training and sales promotion shall not be permitted.

17. ~~No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, or odor detectable to the normal senses off the property.~~
18. There shall be no vehicle parking spaces associated with the home occupation.

D. **Permitted Signs.** ~~(An indirectly lighted name plate or professional sign not over one square foot in area and attached flat against the building shall be permitted in connection with an incidental home occupation)~~ No signs shall be permitted.

E. **Inspections.** ~~An inspector shall have the right at any time, upon reasonable request, to enter and inspect the premises for safety and compliance purposes, with the consent of the property owner. —The City reserves the right to enter into the premises from time to time to document that the home occupation is being operated within the guidelines established by this code. The City also has the right to enter the premises and inspect the premises for safety and compliance purposes with the consent of the owner. Failure of the owner to consent to an investigation/inspection of the property could result in the suspension of the home occupation license and eventual termination thereof.~~

BE IT FURTHER ORDAINED by the City Council of the City of Jacksonville that the Zoning Ordinance may be appropriately reorganized and/or renumbered in the order to set the provisions of this text change in a logical and orderly fashion. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be in full force and effective upon its adoption;

Adopted by the Jacksonville City Council in regular session on this 4th day of October, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk



Request for City Council Action

Consent
Agenda
Item: **2**
Date: 10/4/2011

Subject: Interlocal Agreement with Onslow Water and Sewer Authority –
Installation of Raw Water Line along Piney Green Road

Department: Public Services

Presented by: Wally Hansen, Infrastructure and Capital Projects Manager

Presentation: No

Issue Statement

As part of the Water System Improvement Project, the City must extend a raw water main from the Commons area along Hwy 17 and Piney Green Road which will connect to the new Piney Green well site. Additionally, North Carolina Department of Transportation (NCDOT) is scheduled to begin construction of widening Piney Green Road (U-3810) in September 2012 and the Onslow Water and Sewer Authority (ONWASA) also has plans of constructing a much larger water main project which must be completed prior to the start of NCDOT's project.

Recognizing that the City's project is in the same vicinity as ONWASA's, the City has been working with ONWASA to include the Piney Green Road portion of the City's raw water main with ONWASA's larger project. This Agreement will include the installation of approximately 5,000 linear feet of raw water main along Piney Green for the City from Hwy 17 to the vicinity of Mike Loop with ONWASA's project. The City would reimburse ONWASA for the actual cost of construction as well as any other related engineering services such as construction administration.

Financial Impact

None at this time. Funding has already been set aside in the Water System Improvement Phase I Project.

Action Needed

Consideration of approval of the Interlocal Agreement as presented.

Recommendation

Staff recommends Council approve the Interlocal Agreement for the installation of the City's raw water main along Piney Green Road as part of ONWASA's larger water transmission line project.

Approved: ☒ City Manager ☐ City Attorney

Attachments:

A Proposed Interlocal Agreement



Staff Report

Consent
Agenda
Item:

2

Interlocal Agreement with Onslow Water and Sewer Authority – Installation of Raw Water Line along Piney Green Road

Introduction

As part of the Water System Improvement Project, the City still has three well sites (Miracle Meadows #1, Miracle Meadows #2, and Piney Green) that still must be tied to our water system. The raw water project to connect these sites is currently in design. The first part of this work will be to extend raw water mains from Hwy 17 along Piney Green Road in advance of the NCDOT Piney Green Road (U-3810) widening project. The City will then bid the rest of the work to extend the water main through the Commons area (within existing easements) and along Ramsey Road.

NCDOT is scheduled to begin construction of the Piney Green Road widening in September 2012. The Onslow Water and Sewer Authority (ONWASA) has a large water main project which must also be completed prior to the start of NCDOT's project.

Recognizing that the City and ONWASA will be working along the same section and side of Piney Green Road and that both lines have to be completed in advance of NCDOT's project, the City has been working with ONWASA to include the Piney Green Road portion of the City's smaller raw water main in with ONWASA's larger project. ONWASA's water line will be installed within the public utility easement immediately adjacent to NCDOT's right of way and the City's raw water line will be installed within five feet of NCDOT's right of way. There will be approximately ten feet of separation between the two water lines.

In an effort to assist both entities, an Interlocal Agreement has been prepared such that ONWASA will include the installation of approximately 5,000 linear feet of raw water main along Piney Green for the City from Hwy 17 to the vicinity of Mike Loop with ONWASA's project. The City would reimburse ONWASA for the actual cost of construction as well as any other related engineering services such as construction administration.

Financial Analysis

No additional funding is required at this time. Funding for this project has already been set aside within the Water System Improvement Project Phase I.

Stakeholders

- City of Jacksonville
- ONWASA
- Residents of Jacksonville

Options

Option #1: Approve the Interlocal Agreement as presented for the installation of the City's raw water main along Piney Green Road as part of ONWASA's larger water transmission line project. **RECOMMENDED.**

Pros: The partnership created between ONWASA and the City will allow both projects to be constructed more efficiently since one contractor will be responsible for both water lines and that work can be completed prior to the start of NCDOT's project.

Cons: ONWASA is contractually obligated to ensure that the City's raw water line is installed per the plans and specifications with assistance from their consulting Engineer. The City would not have daily inspection responsibility.

Option #2: Deny the Interlocal Agreement with ONWASA.

Pros: None

Cons: Work would still need to be completed in advance of NCDOT's project. The City would have to bid this project independent of ONWASA's project. The City and ONWASA would still need to coordinate work regarding contractor's schedule and site availability since multiple contractors would be working in the same area along existing Piney Green Road.

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

INTERLOCAL AGREEMENT FOR
RAW WATER MAIN ALONG PINEY GREEN
ROAD

AGREEMENT, dated as of the ____ day of _____, 2011, by and between **ONSLOW WATER AND SEWER AUTHORITY**, a public body and a body politic and corporate of the State of North Carolina (the "Authority"); and **THE CITY OF JACKSONVILLE**, a municipal corporation of the State of North Carolina (the "City");

WITNESSETH:

WHEREAS, North Carolina Department of Transportation is scheduled to begin construction to widen Piney Green Road (U-3810) in September 2012 as part of their Transportation Improvement Project; and

WHEREAS, the City and the Authority each operate potable water systems which will be impacted by this project; and

WHEREAS, the City desires the Authority to include construction of approximately 5,000 linear feet of raw water main along Piney Green Road from Hwy 17 to the vicinity of Mike Loop within the Authority's PINEY GREEN ROAD WATER MAIN RELOCATION FOR NCDOT U-3810 Project.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the parties hereto agree as follows:

1. Permitting and Site Availability. The City shall furnish the required regulatory approvals and a clear site for construction of said raw water main.
2. Plans and Specifications. The Authority shall incorporate and utilize the plans provided by the City, along with the Authority's prepared and approved project specifications as modified by the City in regards to materials only, for the construction of said raw water main.
3. Construction. The Authority shall bid the work for this raw water main in conjunction with its Piney Green Utility Relocations work. The City shall be provided the opportunity to review and approve proposed unit price bid quantities for the raw water line before being submitted to bidders. Upon receipt, review, and award of bids by the Authority, the Authority shall enter into a contract with the successful bidder and shall be responsible for monitoring the work to verify that it has been performed in accordance with the applicable plans and specifications.
4. Construction Related Engineering Services. The Authority's consulting engineer shall provide Construction Administration and Observation services for this raw water main and shall provide and Engineers Certification of Completion for the work. The City shall be given the opportunity to review and approve the Authority's consulting engineer's proposal for such services. The City shall compensate the Authority for such services at the full value identified

Attachment

A

for this raw water line work in the contract between the Authority and the Authority's Consulting Engineer, as may be amended, in accordance with paragraph 6 below.

5. Changes to Contract. Any changes to the raw water main portion of the contract in regards to price, time, and alignment shall be approved by the City in writing. The City shall complete such approvals within forty-eight (48) hours of receipt of notification of such proposed changes.

6. Payment. The City shall reimburse the Authority for the full cost related to this raw water main work; to include engineering services, attorney's fees, construction, and any other related costs associated with the work. Said reimbursements are to be paid within 30 days after the Authority submits a bill therefore to the City. The Authority shall submit progress payment invoices at a frequency to be determined, but no more than once a month, until the work has been completed.

7. Ownership. The City shall maintain ownership of this raw water main at all times during and after construction.

8. Right to Terminate. The Authority may terminate this Agreement if the City does not provide to the Authority and the Authority's Consulting Engineer all necessary internal and regulatory approvals, documentation, and sites within the available timeframe for the Authority to incorporate this work into its bidding documents without delaying the project. The City has the right to terminate this Agreement at any time prior to the award of the bid for the raw water line. Such termination shall not constitute a breach of this Agreement; however, City shall be liable for and shall reimburse the Authority for all costs incurred up to the time of the termination, and all costs associated with the termination of the Agreement.

9. Remedies. Each party hereto shall have all remedies available at law or in equity if the other party breaches this Agreement.

10. Successors. This Agreement shall be binding on the successors and assigns of the parties hereto.

11. Law Governing. This Agreement shall be governed and controlled by the laws of the State of North Carolina.

12. Dispute Resolution. Any dispute arising out of or concerning this Agreement shall be determined in the General Court of Justice in Onslow County, North Carolina.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

ONslow WATER AND SEWER AUTHORITY

By: _____
W.C. Jarman, Chairman

Attest:

CLERK TO THE BOARD

(SEAL)

CITY OF JACKSONVILLE

By: _____
Sammy Phillips, Mayor

Attest:

Carmen Miracle
CITY CLERK

(SEAL)

NORTH CAROLINA
ONslow COUNTY

I, _____, a Notary Public of Onslow County, do hereby certify that _____ personally appeared before me this day and acknowledged that she is Clerk to the Board of Directors of the Onslow Water and Sewer Authority, a body politic and corporate of the State of North Carolina existing by virtue of the laws of the State of North Carolina, and that by authority duly given and as the act of the Board, the foregoing instrument was signed in its name by its Chairman, sealed with its corporate seal, and attested by herself as it Clerk.

WITNESS my hand and notarial seal, this _____ day of _____, 2011.

My Commission Expires:

NOTARY PUBLIC

(SEAL)

NORTH CAROLINA
ONslow COUNTY

I, _____, a Notary Public of Onslow County, do hereby certify that Carmen K. Miracle personally appeared before me this day and acknowledged that she is the City Clerk of the City of Jacksonville, a body corporate and politic existing under and by virtue of the laws of the State of North Carolina, and that by authority duly given and as the act of the body politic and corporate, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by herself as it Clerk.

WITNESS my hand and notarial seal, this _____ day of _____, 2011.

My Commission Expires:

NOTARY PUBLIC

(SEAL)

NORTH CAROLINA
ONslow COUNTY

The foregoing certificates of _____ and _____, Notaries Public of the aforesaid County and State, are certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the Office of the Register of Deed of Onslow County, North Carolina, in Book _____, Page _____.

This _____ day of _____, A.D., 20____ at _____ o'clock _____.M.

_____ BY: _____

REGISTER OF DEEDS

DEPUTY REGISTER OF DEEDS



Request for City Council Action

**Consent
Agenda
Item:** **3**
Date: 10/4/2011

Subject: Tax Releases, Refunds, and Write-Offs

Department: Finance

Presented by: Gayle Maides, Assistant Finance Director

Presentation: No

Issue Statement

The County/City Tax Collector and the City's Finance Director recommend releases, refunds, and write-offs of property taxes as attached. The detail list of these tax releases and refunds (that is, the listing by property name, amount, reason, etc.) is available in the Finance Office for review.

Financial Impact

The tax releases, refunds, and write-offs as recommended by the City/County Tax Collector total, respectively, \$28,983.28, \$13,529.25, and \$119.03 (\$42,631.56).

Action Needed

Review the tax releases, refunds and write-offs.

Recommendation

Staff recommends that Council move to approve the tax releases, refunds and write-offs.

Approved: ☒ City Manager ☐ City Attorney

Attachments:

A Tax Releases, Refunds, and Write-offs



Staff Report

Tax Releases, Refunds, and Write-Offs

Introduction

The Tax Releases, Refunds and Write-Offs as recommended by the City/County Tax Collector total, respectively, \$28,983.28, \$13,529.25, and \$119.03 (\$42,631.56).

Most of the Releases and Refunds are due to:

- 1) Clerical and/or addition errors on the Onslow County Abstracts,
- 2) Double charges for the same property,
- 3) Property erroneously listed as in this City,
- 4) Senior citizens exemptions,
- 5) Military non-resident.

Write-offs are due to:

- 1) A bill that is \$3.00 or less
- 2) An over or underpayment of \$1.00 or less.

Other releases and refunds just have notations indicating that interest only is being released and there will be no corresponding reference explanation. The County's computer system automatically accrues interest on the first day of the month. There will be times when the County received payment on the day before or even on the same day that the account has accrued the interest. The County will adjust their accounts to remove the interest that was automatically charged in lieu of having accounts with balances usually less than \$1.00.

The listing of proposed releases, refunds and write-offs as submitted by the Tax Collector, are in conformity with the law. Based upon this information as provided, which is believed to be true and accurate, I recommend your approval of these tax releases, refunds, and write-offs.

TAX RELEASE SUMMARY**AUGUST 2011**

YEAR	CODE	TAX RATE	PRINCIPAL	LATE LIST	TOTAL	TAX VALUE
2011	101-0000-111-0000	0.005380	19,368.17	127.76	19,495.93	3,600,031.60
2010	101-0000-111-1000	0.005380	7,772.05	20.80	7,792.85	1,444,618.96
2009	101-0000-111-1000	0.006260	1,052.59	17.41	1,070.00	168,145.37
2008	101-0000-111-1000	0.006260	151.28	10.50	161.78	24,166.13
2007	101-0000-111-1000	0.005316	109.95	11.00	120.95	20,682.84
2006	101-0000-111-1000	0.005900	120.91	9.34	130.25	20,493.22
2005	101-0000-111-1000	0.005900	105.98	10.60	116.58	17,962.71
2004	101-0000-111-1000	0.005900	47.44		47.44	8,040.68
2003	101-0000-111-1000	0.005900	47.50		47.50	8,050.85
2002	101-0000-111-1000	0.005900			-	-
2001	101-0000-111-1000	0.005900			-	-
TOTAL			28,775.67	207.41	28,983.28	5,312,192.36

'01-10	9,487.35
2011	19,495.93

TAX REFUND SUMMARY

AUGUST 2011

YEAR	CODE	TAX RATE	PRINCIPAL	LATE LIST	INT.	TOTAL REFUND	TAX VALUE
2011	101-0000-311-0000	0.005380	373.65	4.11	3.86	381.62	69,451.67
2010	101-0000-311-0000	0.005380	2,830.47	-	9.92	2,840.39	526,109.67
2009	101-5000-412-2000	0.006260	3,443.08		28.81	3,471.89	550,012.78
2008	101-5000-412-2000	0.006260	2,567.75	2.08	14.45	2,584.28	410,183.71
2007	101-5000-412-2000	0.006260	2,502.21		1.02	2,503.23	399,714.06
2006	101-5000-412-2000	0.005316	1,711.19		1.28	1,712.47	290,032.20
2005	101-5000-412-2000	0.005900	35.37	-	-	35.37	5,994.92
2004	101-5000-412-2000	0.005900	-	-	-	-	-
2003	101-5000-412-2000	0.005900	-	-	-	-	-
2002	101-5000-412-2000	0.005900	-	-	-	-	-
2001	101-5000-412-2000	0.005900	-	-	-	-	-
TOTAL			13,463.72	6.19	59.34	13,529.25	2,251,499.00

TAX WRITE-OFF SUMMARY

AUGUST 2011

YEAR	CODE	TAX RATE	PRINCIPAL	LATE LIST	TOTAL	TAX VALUE
2011	101-0000-111-0000	0.005380	75.56	-	75.56	14,044.61
2010	101-0000-111-1000	0.005380	43.47	-	43.47	8,079.93
2009	101-0000-111-1000	0.006260	-	-	-	-
2008	101-0000-111-1000	0.006260	-	-	-	-
2007	101-0000-111-1000	0.005316	-	-	-	-
2006	101-0000-111-1000	0.005900	-	-	-	-
2005	101-0000-111-1000	0.005900	-	-	-	-
2004	101-0000-111-1000	0.005900	-	-	-	-
2003	101-0000-111-1000	0.005900	-	-	-	-
2002	101-0000-111-1000	0.005900	-	-	-	-
2001	101-0000-111-1000	0.005900	-	-	-	-
TOTAL			119.03	-	119.03	22,124.54

'2001-2010	43.47
2011	75.56



Request for City Council Action

**Consent
Agenda
Item:** **4**
Date: 10/4/2011

Subject: Voluntary Annexation Petition – BHP Western (John Pierce) – 5.57 total Acres- Carolina Forest Area

Department: City Clerk's Office

Presented by: Carmen K. Miracle, City Clerk

Presentation: No

Issue Statement

At the September 20, 2011 meeting, Council adopted a Resolution directing staff to investigate the sufficiency of a voluntary annexation petition received from John Pierce, managing partner of BHP Western.

The property proposed for voluntary annexation is for two parcels contiguous to the City limit boundaries and totaling 5.57 acres. Tract one (2.05 acres) is located adjacent to Carolina Forest Blvd across from The Arbors in Carolina Forest. Tract two (3.52-acres) is located adjacent to Emerdale Apartments in Carolina Forest. These two tracts are planned as added acreage for an abutting property that is already inside the City limits. The future project is tentatively proposed to accommodate a six building/88 unit 94,839 square foot apartment complex.

The City Clerk has conducted the required investigation and found as a fact that said petition is signed by all owners of real property lying in the area described. As provided in North Carolina General Statute 160A-31, a Resolution has been prepared scheduling a Public Hearing on this annexation for the October 18, 2011 Meeting.

Financial Impact

Financial impacts will be presented with the Public Hearing agenda item.

Action Needed

Consider the Resolution Scheduling Public Hearing

Recommendation

Staff recommends Council adopt the Resolution as presented.

Approved: ☒ City Manager ☐ City Attorney

Attachments:

- A Certificate of Sufficiency
- B Proposed Resolution
- C Location Map



Staff Report

Consent
Agenda
Item:

4

Voluntary Annexation Petition - BHP Western (John Pierce)
Carolina Forest Area– 5.57 Acres

Introduction

The area proposed for annexation is located within the City's Extra Territorial Jurisdiction (ETJ) and is contiguous to the current City limits.

Tract one (2.05 acres) is located adjacent to Carolina Forest Blvd across from The Arbors in Carolina Forest. Tract two (3.52-acres) is located adjacent to Emerdale Apartments in Carolina Forest. Both tracts are planned to add acreage to a larger project proposed for abutting property that is already inside the City limits.

The future project is tentatively proposed to accommodate a six building/88 unit 94,839.14 square foot apartment complex.

Procedural History

- September 20, 2011 – Council adopted Resolution directing the City Clerk to investigate the sufficiency of the voluntary annexation petition.
- October 4, 2011 – Council consideration of a Resolution scheduling a Public Hearing.
- October 18, 2011 – Proposed Date to conduct a Public Hearing and for Council to consider adopting the Annexation Ordinance.
- October 18, 2011 – Proposed Effective Date of Annexation Ordinance.

Stakeholders

- BHP Western – John Pierce – Managing Partner/petitioner
- Citizens of Jacksonville

Options

Pass the Resolution Scheduling the Public Hearing: **RECOMMENDED**

- Pros: The site is contiguous to the current corporate limits and is proposed for future commercial development;
- Cons: None

Deny the Resolution Scheduling the Public Hearing:

- Pros: None
- Cons: This action would conflict with past actions associated with contiguous property proposed for development;

Defer Consideration – Should Council desire additional information, provide direction to staff on the specific information Council would like to receive.

CERTIFICATE OF SUFFICIENCY

VOLUNTARY ANNEXATION PETITION - BHP WESTERN (JOHN PIERCE)
CAROLINA FOREST AREA– 5.57 ACRES

To: The City Council of the City of Jacksonville, North Carolina

I, Carmen K. Miracle, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G. S. 160A-31, as amended.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Jacksonville, this 26th day of September, 2011.

Carmen K. Miracle
City Clerk

Parcel I.D. Portions of 338-18.54; 338-18.43

Attachment

A

RESOLUTION (2011-)

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-31, AS AMENDEDBHP WESTERN (JOHN PIERCE)
CAROLINA FOREST AREA– 5.57 ACRES

WHEREAS, a petition requesting annexation of the area described herein has been received;
and

WHEREAS, the City Council has by Resolution directed the City Clerk to investigate the
sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been
made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jacksonville,
North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein
will be held at City Hall at 7 o'clock, P.M. on the 18th day of October 2011.

Section 2. The area proposed for annexation is described as follows:

**PORTION OF TRACT I-B ON WESTERN BOULEVARD & CAROLINA FOREST BLVD.
2.05 ACRE TRACT - JACKSONVILLE TWP., ONSLOW COUNTY, NORTH CAROLINA**

Commencing at a point located where the Southeastern right of way of Carolina Forest Blvd. (80 foot right of way) intersects the Northeastern right of way of N.C. Highway 53 (commonly known as Western Boulevard); and running thence along the said right of way of Carolina Forest Blvd. the following courses and distances: North 22 degrees 09 minutes 53 seconds East 228.71 feet to an existing iron stake, thence along a curve to the left having a radius of 630.00 feet and a chord bearing and distance of North 05 degrees 00 minutes 20 seconds East 371.74 feet to an existing iron stake, thence along a curve to the right having a radius of 300.00 feet and a chord bearing and distance of North 03 degrees 59 minutes 08 seconds West 85.25 feet to an existing iron stake, thence along a curve to the right having a radius of 300.00 feet and a chord bearing and distance of North 15 degrees 33 minutes 03 seconds East 118.26 feet to a point, said point also being **THE TRUE POINT OF BEGINNING**; thence from the described beginning and continuing along the said right of way along a curve to the right having a radius of 300.00 and a chord bearing and distance of North 46 degrees 29 minutes 29 seconds East 201.00 feet to an existing iron stake, thence North 66 degrees 03 minutes 51 seconds East 169.37 feet to an existing iron stake; thence leaving the said right of way and running South 30 degrees 43 minutes 46 seconds East 175.02 feet to a point; thence South 21 degrees 00 minutes 00 seconds West 334.93 feet to a point; thence North 64 degrees 46 minutes 49 seconds West 99.34 feet to a point; thence North 00 degrees 07 minutes 03 seconds West 169.01 feet to a point; thence along a curve to the right having a radius of 655.17 feet and a chord bearing and distance of North 76 degrees 02 minutes 24 seconds West 185.25 feet to the point and place of beginning. Containing 2.05 acres and being described as a portion of Tract I-B and portion of Tract I-D on Western Boulevard & Carolina Forest Blvd. as recorded in Map Book 62 Page 153 and a portion of the property described in Deed Book 1460 Page 396 of the Onslow County Registry and being subject to all easements of record. The courses contained herein are correct in angular

relationship and are referenced to Map Book 57 Page 145 Slide M-979 of the Onslow County Registry. **JOHN L. PIERCE, P.L.S., L-2596**

And

PORTION OF TRACT I-B AND 1-D ON WESTERN BOULEVARD & CAROLINA FOREST BLVD. 3.52 ACRE TRACT - JACKSONVILLE TWP., ONSLOW COUNTY, NORTH CAROLINA

Commencing at a point located where the Southeastern right of way of Carolina Forest Blvd. (80 foot right of way) intersects the Northeastern right of way of N.C. Highway 53 (commonly known as Western Boulevard); and running thence along the said right of way of Carolina Forest Blvd. the following courses and distances: North 22 degrees 09 minutes 53 seconds East 228.71 feet to an existing iron stake, thence along a curve to the left having a radius of 630.00 feet and a chord bearing and distance of North 05 degrees 00 minutes 20 seconds East 371.74 feet to an existing iron stake, thence along a curve to the right having a radius of 300.00 feet and a chord bearing and distance of North 03 degrees 59 minutes 08 seconds West 85.25 feet to an existing iron stake, thence along a curve to the right having a radius of 300.00 feet and a chord bearing and distance of North 35 degrees 07 minutes 25 seconds East 308.49 feet to an existing iron stake; thence North 66 degrees 03 minutes 51 seconds East 169.37 feet to an existing iron stake; thence leaving the said right of way and running South 30 degrees 43 minutes 46 seconds East 307.60 feet to an existing iron stake; thence North 45 degrees 53 minutes 26 seconds East 309.72 feet to an existing iron stake; thence North 68 degrees 09 minutes 59 seconds East 22.01 feet to a point, said point also being ***THE TRUE POINT OF BEGINNING***; thence from the described beginning and running North 68 degree 09 minutes 59 seconds East 263.02 feet to an existing iron stake; thence South 56 degrees 09 minutes 44 seconds East 284.61 feet to an existing iron stake; thence North 65 degrees 39 minutes 41 seconds East 267.48 feet to an existing iron stake; thence south 27 degrees 54 minutes 10 seconds East 242.89 feet; thence South 49 degrees 29 minutes 35 seconds West 226.35 feet to a point; thence North 64 degrees 53 minutes 07 seconds West 735.38 feet to the point and place of beginning. Containing 3.52 acres and being a portion of Tract I-B on Western Boulevard & Carolina Forest Blvd. as recorded in Map Book 62 Page 153 and a portion of the property described in Deed Book 1460 Page 396 of the Onslow County Registry and being subject to all easements of record. The courses contained herein are correct in angular relationship and are referenced to Map Book 57 Page 145 Slide M-979 of the Onslow County Registry. **JOHN L. PIERCE, P.L.S., L-2596**

Section 3. Notice of said public hearing shall be published in the Daily News, a newspaper having general circulation in the City of Jacksonville, at least ten (10) days prior to the date of said public hearing.

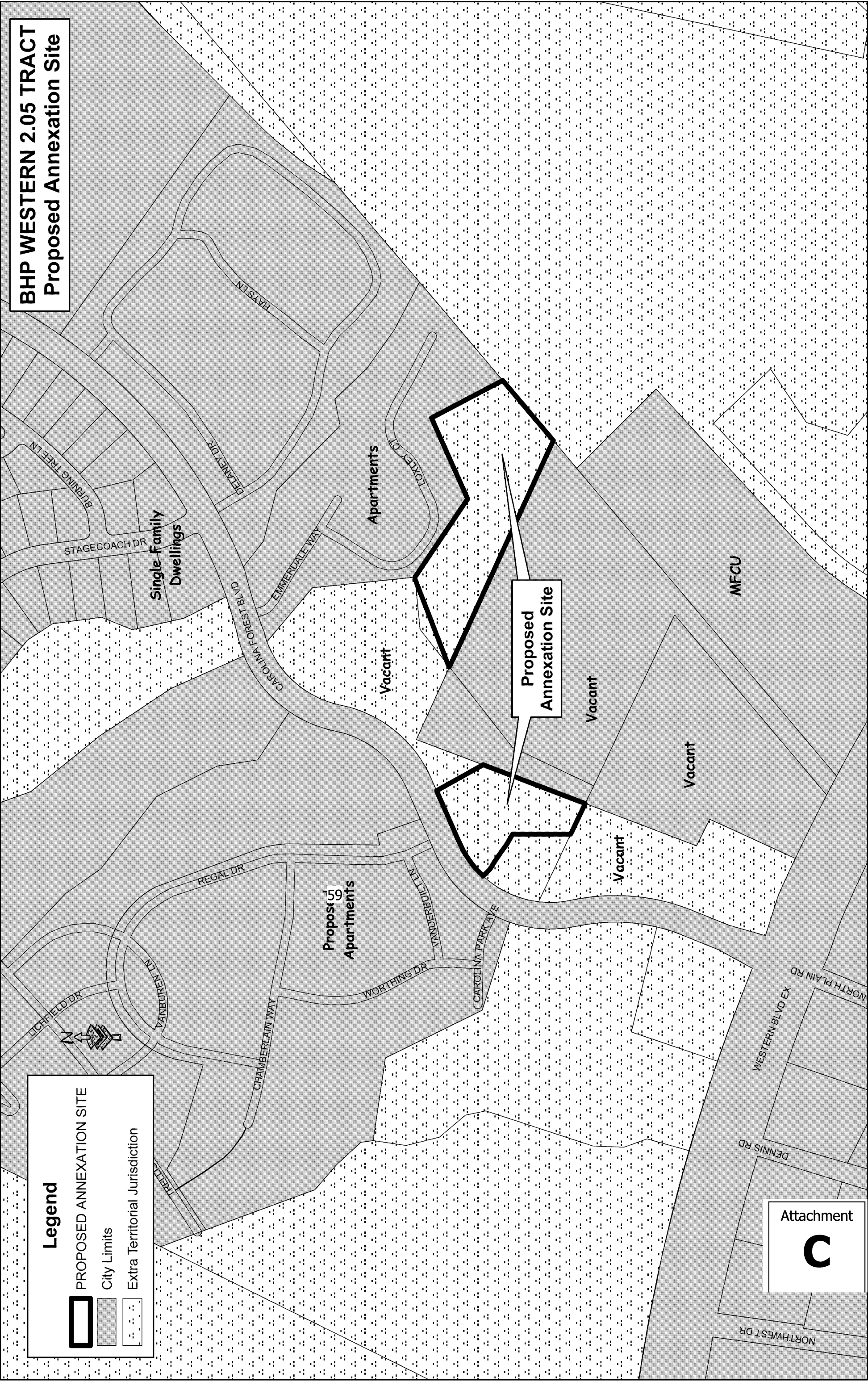
Adopted by the Jacksonville City Council in regular session this 4th day of October, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk

**BHP WESTERN 2.05 TRACT
Proposed Annexation Site**



Legend

- PROPOSED ANNEXATION SITE
- City Limits
- Extra Territorial Jurisdiction

Proposed
Annexation Site



Request for City Council Action

Agenda Item:	5
Date:	10/4/2011

Subject: Site Plan with Approved Special Use Permit – Staybridge (Hotel) – 110
Cobia Court

Department: Development Services

Presented by: Jeremy B. Smith, Senior Planner

Presentation: No

Issue Statement

Parker and Associates is seeking approval of a site plan with an approved special use permit for a proposed hotel. The developer is proposing a 62,025 square foot hotel (91 rooms) on 3.51 acres (2 tracts) adjacent to Cobia Court.

Financial Impact

None

Action Needed

Consideration of the Site Plan with Approved Special Use Permit

Recommendation

City staff and Planning Board recommend Council approve the Site Plan conditioned upon the items identified in Attachment A.

Approved: ☒ City Manager ☐ City Attorney

Attachments:

- A TRC Comment Sheet
- B Planning Board Minutes – September 12, 2011
- C Zoning and Land Use Map
- D Site Plan



Staff Report

Agenda Item: 5

Site Plan with Approved Special Use Permit – Staybridge (Hotel) – 110 Cobia Court

Introduction

Parker and Associates is seeking approval of a site plan with an approved special use permit for a proposed hotel. The developer is proposing a 62,025 square foot hotel (91 rooms) on 3.51 acres (2 tracts) adjacent to Cobia Court.

Procedural History

- On February 16, 2010 City Council approved a Special Use Permit for these tracts of land to be used as a hotel. Approval was subject to the following conditions:
 - 1) Relocate existing easement along the interior lot lines of lots 6 and 12;
 - 2) Submit a site plan meeting all applicable City standards within 18 months or the use permit will be null and void.
- On August 2, 2011, Parker and Associates, Inc. submitted this application requesting site plan approval.
- On September 12, 2011 Planning Board recommended approval of this request.
- On October 4, 2011 City Council will consider this request.

Stakeholders

- Stephen and Gabriele May – Owner/Applicant
- Parker and Associates – Surveyors/Engineers/Land Planners
- Adjacent property owners

Zoning Assessment

The property is located within the City limits and zoned Office & Institutional (O&I). The development site is bordered by medical offices and stormwater ponds, zoned Office & Institutional (O&I) and/or Business-1 (B-1) and undeveloped property zoned Residential-7 (R-7)

Sewer Allocation Assessment

The proposed development is located within the City Limits and as proposed will impact the City's Sewer Allocation Policy. Sewer Allocation requests will be processed in accordance with the adopted policy.

Parking Assessment

In accordance with Section 102 Parking Requirements of the City of Jacksonville Zoning Ordinance, hotels are required to provide 1 parking space per room, plus 5 additional spaces for staff. However, any development that is larger than 25,000 square feet is eligible for a 20% reduction (19 spaces) to the number of parking spaces required. As a result, this 91 room hotel is required 96 spaces minus the 19 space reduction or 77 parking spaces. The developer is opting not to utilize the reduction and has identified 109 spaces, 32 more than the requirement.

Options

A. Approve the site plan with approved special use permit as presented.

- Pros: None.
- Cons: The proposed site plan does not meet all applicable City Standards.

B. Approve the site plan with approved special use permit with the following condition(s): **(RECOMMENDED)**

- Site plan shall be revised per the TRC Comments found within Attachment A prior to the issuance of a building permit.
- Pros: Allows the process to move forward while ensuring a revised site plan meeting all applicable codes/ordinances will be submitted prior to construction.
- Cons: None.

C. Deny the site plan with approved special use permit request.

- Pros: The proposed site plan does not meet all applicable City Standards.
- Cons: None.

D. Defer Consideration of the request.

- Pros: Deferral would allow staff sufficient time to address any concerns the City Council may have.
- Cons: None.



TRC Comment Sheet

DATE: 9/1/11
TYPE: SITE PLAN
FILE NUMBER: 11-90000044
FILE NAME: STAYBRIDGE HOTEL
APPLICANT: PARKER & ASSOCIATES

DEPARTMENT: Development Services
DIVISION: Planning
PLAN REVIEWER: JEREMY SMITH

- Recombination plat needed prior to issuing a building permit

DEPARTMENT: Development Services
DIVISION: Planning - Addressing
PLAN REVIEWER: Pam Cunningham

No additional comments. Approved.

DEPARTMENT: Public Services
DIVISION: Streets – Signs
PLAN REVIEWER: Anthony Day

No additional comments. Approved.

DEPARTMENT: Planning and Development Services
DIVISION: Building Inspection
PLAN REVIEWER: Kelly Gurganus

No additional comments. Approved.

DEPARTMENT: Public Services
DIVISION: Engineering - Utilities
PLAN REVIEWER: Michael Moore

No additional comments. Approved.

Required revision #1 shown below is referring to sewer allocation however your response was directed toward easements. Please submit the appropriate sewer allocation request form with the sewer flow permit modification. If you have any questions feel free to contact me directly @ (910) 938-5332.

Attachment

A

1. This development qualifies as a **Tier 1** project in accordance with the Sewer Allocation Policy. A Sewer Allocation Request Form must be submitted to Michael Moore in the Public Services Engineering Department. A copy of the Sewer Allocation Policy and the Sewer Allocation Request Form are available on the City of Jacksonville website at www.ci.jacksonville.nc.us and are located in the **Engineering and Construction** section under **Government & City Services**.

COMMENTS:

1. "Water Meters 3" inch in size and larger must be ordered one month in advance in order to eliminate any delay due to availability. Contact the City of Jacksonville Water Billing Division at (910) 938-5248 to place your order.
2. Projects which include structures greater than one story in height and major subdivisions will require the submittal of an Engineer's Hydraulic Model report proving that adequate water supply demands will be met.

Revisions may trigger additional comments.

DEPARTMENT: Public Services
DIVISION: Engineering - Works
PLAN REVIEWER: Tom Anderson

The revised plan for Staybridge Hotel stamped received August 23, 2011 is approved by the Public works Section. Some additional comments will be made when the erosion control plan is reviewed such as: Verify the name of the creek that this property drains to, and revised inlet protection for the yard inlet detail to conform with State Detail #651.

DEPARTMENT: NCDOT
PLAN REVIEWER: Robert Vause

No comments submitted by TRC

DEPARTMENT: Police Department
DIVISION: East
PLAN REVIEWER: Sean Magill, Traffic Lt

No additional comments. Approved.

DEPARTMENT: Progress Energy Carolinas Inc.
PLAN REVIEWER: Jackie Lee

No comments submitted by TRC

DEPARTMENT: Public Services
DIVISION: Sanitation
PLAN REVIEWER: Kerry Terrell

No additional comments. Approved.

Site plans show a location that will have 91 units. Based on waste generation guidelines, two (2) 8-yard dumpsters will service this location. Site plan approved with two (2) 8-yard dumpsters. Enclosure should be at least 22 feet in width and 12 feet in depth with the height of the enclosure at least 6 feet or the height of the dumpster whichever is greater. Proper door stops should be in place for the doors to stay open during the collection process as well as being securely closed when not in use.

Pad specification should coincide with enclosure dimensions.

DEPARTMENT: Planning & Development Services
DIVISION: MPO Division
PLAN REVIEWER: Adrienne McTigue, amctigue@ci.jacksonville.nc.us, 910-938-5073

TIA: Not required

Collector Street: N/A

Bicycle and Pedestrian Plan: N/A

- ~~1. Narrow, 18', drive aisle must be widened to at least 24' or be signed for one way use.~~
- ~~2. Recommend a crosswalk to pet walk area.~~
- ~~3. All sidewalks abutting parking spaces should be at least 6' wide or 4' and include wheel stops.~~
- ~~4. The face of wheel stops should be located 2 1/2' away from the front of the space.~~
- ~~5. Add stop bar and stop sign at second driveway to Cobia Court.~~
- ~~6. Clarify is crosswalk at main entrance is flush with pavement.~~
- ~~7. Stop bars should be located 4' in front of crosswalks.~~
- ~~8. Clarify need hatched area without handicap ramps next to handicap parking area that has handicap hatched access with ramps.~~

DEPARTMENT: Public Services
DIVISION: Engineering – Storm Water
PLAN REVIEWER: Aldon Cox

Based upon your response, you will be submitting to NCDWQ for this project. Please provide a copy of NCDWQ's approval to the Stormwater Manager once it's received.

No additional comments. Approved.

DEPARTMENT: Fire Department
DIVISION: Fire Prevention/Inspections
PLAN REVIEWER: Chief John Reed
PROJECT NBR:
PROJECT DESC: STAYBRIDGE HOTEL

Item	Complies	Does Not Comply	N/A	See Note # Below
1. Construction Type and Dimensions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Structure Location(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Street Names	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Street and Cul-de-sac Dimensions, including radius	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Dead-end Limitations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Fire Apparatus Access Roads and Emergency Response Route Designations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Fire Lanes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Adjoining property, including all future access roads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Fire Hydrant Location(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Other:				

Note #	Comment/Requirement	Reference
	11-90000044	
	No additional comments. Approved.	



Draft Planning Board Minutes – September 12, 2011

Agenda
Item: **5**

Site Plan with Approved Special Use Permit – Staybridge (Hotel) – 110 Cobia Court

Parker & Associates is seeking approval of a site plan with an approved special use permit for a proposed hotel. The developer is proposing a 62,025 square foot hotel (91 rooms) on 3.51 acres (2 tracts) adjacent to Cobia Court. On February 16, 2010, City Council approved a Special Use Permit for these tracts of land to be used as a hotel. Approval was subject to the following conditions: 1) Relocate existing easement along the interior lot lines of lots 6 and 12; and 2) Submit a site plan meeting all applicable City standards within 18 months or the use permit will be null and void. The property is located within the City limits and zoned Office & Institutional (O&I). The development site is bordered by medical offices and stormwater ponds, zoned Office & Institutional (O&I) and/or Business 1 (B-1) and undeveloped property zoned Residential 7 (R-7). The proposed development is located within the City limits and as proposed will impact the City's Sewer Allocation Policy. Sewer Allocation requests will be processed in accordance with the adopted policy. In accordance with Section 102 Parking Requirements of the City of Jacksonville Zoning Ordinance, hotels are required to provide 1 parking space per room, plus 5 additional spaces for staff. However, any development that is larger than 25,000 square feet is eligible for a 20% reduction (19 spaces) to the number of parking spaces required. As a result, this 91 room hotel is required 96 spaces minus the 19 space reduction or 77 parking spaces. The developer is opting not to utilize the reduction and has identified 109 spaces, 32 more than the requirement. City staff is recommending approval of the site plan with the conditions noted in the staff report.

Ms. VanderVere wanted to know if Cobia Court would be extended to Western Blvd. Mr. Smith stated that he not seen any plans that would indicate this. She asked how the hotel patrons would access the hotel. Mr. Smith said they would use the entrance into the office park.

There was some discussion among Councilman Lazzara, board members, staff and Mr. Parker regarding the streets within the Schilsky Office Park.

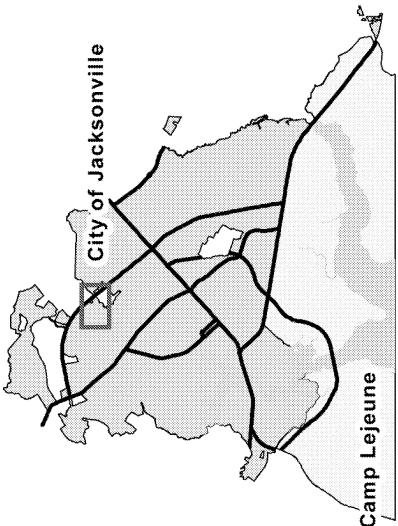
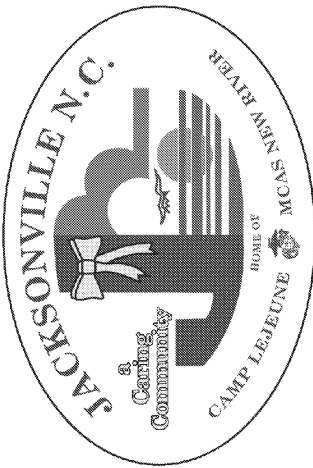
Homer Spring moved to approve the site plan conditioned upon the items noted in the staff report. Alfred Keyes seconded the motion.

The motion to approve the site plan conditioned upon the items noted in the staff report was approved by the Board Members present. The motion was voted for by Vice Chairperson Sandra Wyrick, Alfred Keyes, Homer Spring, Theresa VanderVere, and Danny Williams and against by Pauline Joos.

Attachment

B

Staybridge Hotel - 110 Cobia Court



Centerlines

Parcels

Water Features

Zoning TV Colors

Zones

IND

CU-B

B-1

CU-B-1

B-2

CU-B-2

O&I

CU-O&I

TCA

CU-TCA

CBD

OMU

NB

CU-NB

R-O

RA-20

CU-RA-20

RS-12

RS-10

R-7

RS-7

RS-6

RM-6

RS-5

RM-5

CU-RM5

RD-5

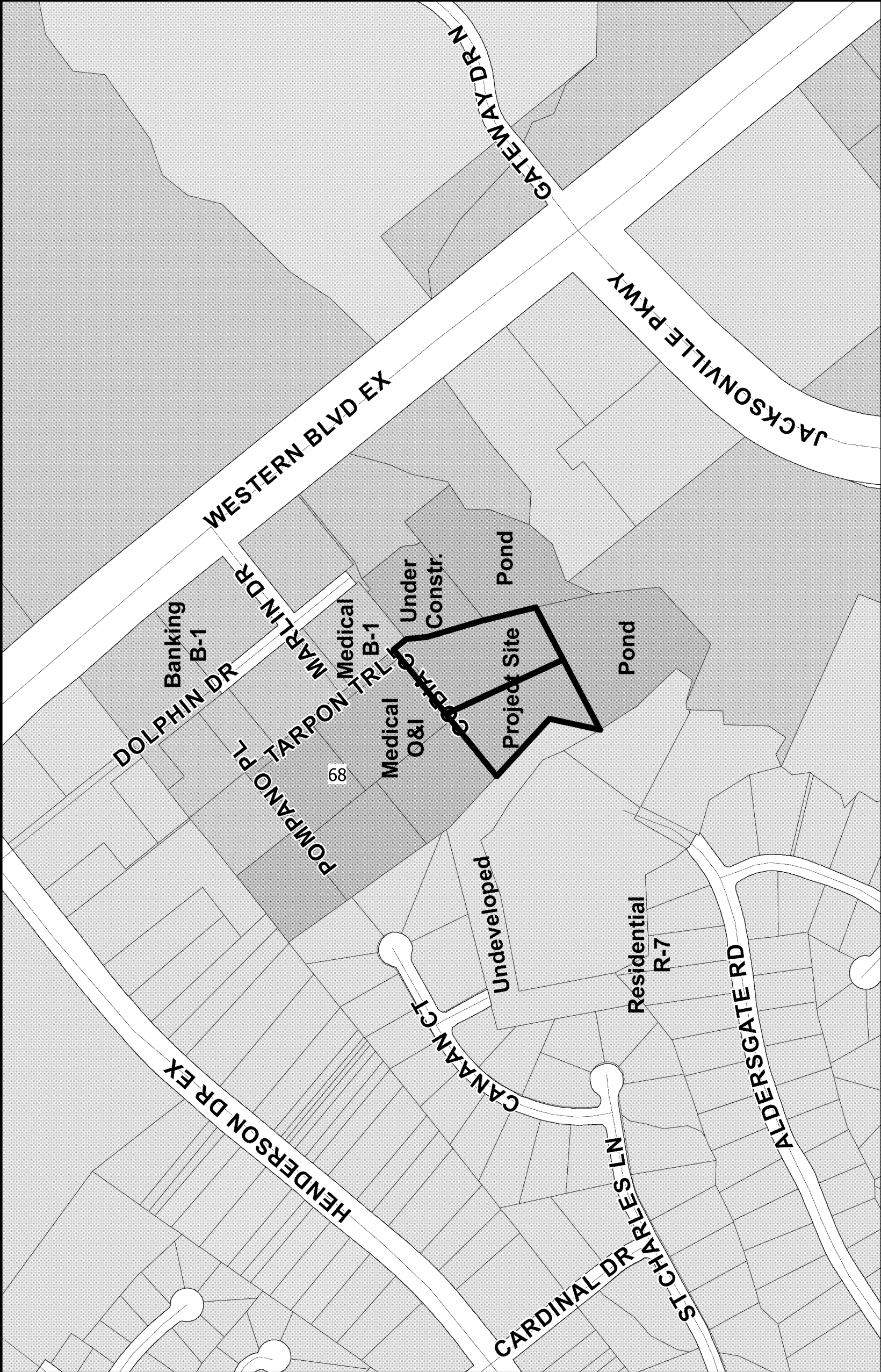
RD-3

CU-RD-3

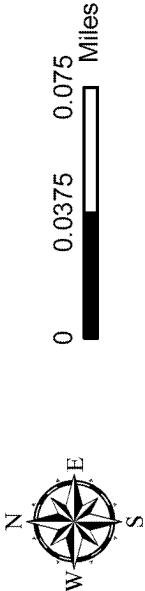
MR

Attachment

C



Disclaimer: This Map is intended to use for planning purposes only. City of Jacksonville or its individual departments are not liable for any data inaccuracies. Once again this map should not be used for any legal boundary determinations and data displayed on this map is collected from various different sources.





Request for City Council Action

Agenda Item:	6
Date:	10/4/2011

Subject: Jacksonville Tourism Development Authority Appointment
Department: Community Programs
Presented by: Glenn Hargett, Communications & Community Affairs Director
Presentation: No

Issue Statement

The terms of two members have expired on the Jacksonville Tourism Development Authority. One of the positions must be occupied by a person representing "individuals who are affiliated with businesses that collect the tax in the City." The original appointee for this position has since left the area and Authority members have been engaged in seeking a new person to fill this specific appointment. After consultation and interview, Sergio Garcia has been recommended for appointment to the Authority.

The other seat is held by Bill Hemmingway, who desires to be reappointed to a full three-year term.

Mayor Pro Tem Michael Lazzara is the Chairman of the Authority Board of Directors and Fannie Coleman is a member of the Authority Board of Directors.

Financial Impact

None

Action Needed

Seek nominations

Close nominations/ Vote on appointments

Recommendation

Consider appointing Sergio Garcia and re-appointing Bill Hemmingway to three-year terms expiring June 30, 2014.

Approved: ☒ City Manager ☐ City Attorney

Attachments:

A Appointment Applications



Staff Report

Agenda Item:	6
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Jacksonville Tourism Development Authority Appointments

Resolution 2010-15 established the Jacksonville Tourism Development Authority with the appointments to be made by the Mayor and the City Council. In the election to the initial terms, Bill Hemingway and Michelle Parker were appointed to one-year terms. Two other persons were appointed to two-year terms, and two others were appointed for three-year terms in order to create a staggered appointment system. Subsequent appointments are to be made for three-year terms, or for portions of unexpired terms in the event of a vacant term.

Michelle Parker held a seat assigned to someone connected to the collection of the tax. She has left the area since her appointment and several Authority members sought out others affiliated with the collection of the tax for service on the board.

Several persons have met with **Sergio Garcia**, the general manager of America's Best Value Inn. He currently serves on the Onslow County Tourism Advisory Board operated by the Chamber of Commerce and has been active in other efforts designed to advance tourism in the County. He is a former active duty Marine and has lived in the community for more than 34 years. He came highly recommended, and is presented for consideration of the seat associated with a person collecting the tax.

Bill Hemmingway was previously appointed to the board to serve in the capacity of someone associated with tourism related activities having won that designation for his association with the Museum of the Marine. He desires reappointment.

There is one shadow member, Ernie Wright. He is not associated with a business that collects the tourism tax.

Positions for Consideration

Category

Tax Collection Affiliated
Promotion of Travel & Tourism Related

Incumbent

Vacant
Bill Hemmingway

Nominees

Category

Tax Collection Affiliated
Promotion of Travel & Tourism Related

Incumbent

Sergio Garcia
Bill Hemmingway

Term to Expire

6/30/2014
6/30/2014

City of Jacksonville Application for Appointment to Boards and Commissions

I, the undersigned am interested in community service and I provide this information for use by the City Council in considering my qualifications for appointment to the following Boards/Commissions.

Effective October, 17, 2004: Except for active duty military personnel, appointees to the City of Jacksonville Boards and Commissions must be registered to vote within Onslow County.

(Please refer to the attached Boards and Commissions Summary Sheet for information and/or specific qualifications that may be required for appointment to a particular Board and for information regarding the City's Shadow Leadership Program.)

If you are interested in being contacted to serve on various ad hoc and/or special Committees that may be created in the future by the City Council, please check here: ☒

List your Board/Commission Preferences in priority order below:

- | | |
|--|--|
| 1. <u>JACKSONVILLE TOURISM DEVELOPMENT AUTHORITY</u> | 2. <u>COMMUNITY DEVELOPMENT ADV. COMM</u> |
| 3. <u>ONSLOW COUNTY CIVIC AFF. COMM</u> | 4. <u>BEAUTIFICATION & APPEARANCE COMM</u> |

If you are interested in being considered for appointment through the City's Shadow Leadership Program for any of the Boards indicated above, please check here: ☒

Name: SERGIO GARCIA Spouse: DAMARIS GARCIA

Home Address: 7005 WOODLEAF PLACE, JACKSONVILLE NC 28546

Work Name and Address: SUPER8 OF JACKSONVILLE, 2149 N MARINE BLVD, JACKSONVILLE NC 28546

Home Telephone: 910-381-6023 Work Telephone: 910-455-6888

Fax: 910-455-3214 Email Address: super8ofjacksonville@yahoo.com

Are you registered to vote in Onslow County? YES NO

Do you reside within the Jacksonville City Limits? YES If Yes, for how long: 30+ YEARS

Do you reside within Onslow County? YES Or, is your place of employment within Onslow County? YES

Please describe your current and past Civic or Community Involvement:

I HAVE BEEN ACTIVE WITH LOCAL CHURCHES IN THE COMMUNITY AND CURRENTLY A BOARD MEMBER IN HOTEL/ MOTEL ASSOCIATIONS WITH CHAMBERS OF COMMERCE OF JACKSONVILLE NC

Please describe special talents, experience, education or training that you feel qualifies you for service on the selected Boards or Commissions:

I AM A PEOPLE PERSON. I LOVE TO SERVE PEOPLE. I SERVED IN (ACTIVE) THE USMC FOR 28 YEARS. (A HONORABLE RETIREMENT) I HAVE A BACHELOR DEGREE IN PSYCHOLOGY FROM CAMPBELL UNIVERSITY. I HAVE BEEN ACTIVE WITH THE CHURCH COMMUNITY IN JACKSONVILLE. HEAD OF THE MAN'S MINISTRY IN CROSSROAD ASS OF GOD, AND CURRENTLY A NON-MEMBER OF RIVER OF LIFE. I HAVE WORKED AS MOTEL MANAGER FOR PASS 9 YEARS. AND HAD A EXTENSIVE MANAGERIAL TRAINING COMBINED WITH MY VAST MILITARY TRAINING.

Continued on Next Page

Attachment

A

- If you have additional information that you would like to provide, please attach extra pages.
- Applications will remain active and on file for a period of three years at which time you will be contacted to verify your continued interest and for new or updated information.
- The information provided will be used by the City Council in considering appointments to City Boards and Commissions.

Signature _____

Date _____

Please return this form to:
City Clerk's Office, City of Jacksonville
815 New Bridge St. Jacksonville, NC 28540
Phone: 910-938-5224 FAX 910-455-6761

City Clerk's Office Use Only

City Clerk's Office Use Only
Date Application Received: 9/26/11

Home Address Verified as City Resident:

Employment Address is located within

Date Verified as Onslow County Registered Voter:

Home Address Verified as County Resident:

(City Limits) or Onslow County?

Contact Notes:

City of Jacksonville

Application for Appointment to Boards and Commissions

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(Please refer to the attached Boards and Commissions Summary Sheet for information and/or specific qualifications that may be required for appointment to a particular Board and for information regarding the City's Shadow Leadership Program.)

If you are interested in being contacted to serve on various ad hoc and/or special Committees that may be created in the future by the City Council, please check here: x

List your Board/Commission Preferences in priority order below:

- | | |
|---|----------|
| 1. <u>Proposed Tourism Advisory Committee</u> | 2. _____ |
| 3. _____ | 4. _____ |

If you are interested in being considered for appointment through the City's Shadow Leadership Program for any of the Boards indicated above, please check here:

Name: Conrad (Bill) Hemmingway Spouse: Arlene Hemmingway

Home Address: 1202 Clifton Road, Jacksonville NC 28540-8200

Work Name and Address: Retired

Home Telephone: 910-346-9425 Work Telephone: Retired

Fax: None Email Address: bhemm@ec.rr.com

Are you registered to vote in Onslow County: YES NO

Do you reside within the Jacksonville City Limits? Yes If Yes, for how long: 45 years

Do you reside within Onslow County? YES Or, is your place of employment within Onslow County? Retired

Please describe your current and past Civic or Community Involvement:

Please describe your educational background:

Continued on Next Page

City Clerk of Jacksonville NC - 18 years
Served on Onslow Memorial Hospital Board of Trustees - 2 years
Board Member, Marine Federal Credit Union - 22 Years, Director Emeritus 4 yrs
Onslow County Library Board of Trustees - 9 years
Jacksonville-Onslow Chamber of Commerce 35 years, GAC 21 years, MAC 22 yrs

- Signature Conrad W. Hemmingsway Date 9-23-09

Date Application Received: _____ Date Verified as Onslow County Registered Voter: _____
Home Address Verified as City Resident: _____ Home Address Verified as County Resident: _____
Employment Address is located within _____ City Limits or Onslow County? _____

[illegible]

City of Jacksonville Application for Appointment to Boards and Commissions

I, the undersigned am interested in community service and I provide this information for use by the City Council in considering my qualifications for appointment to the following Boards/Commissions.

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If you are interested in being contacted to serve on various ad hoc and/or special Committees that may be created in the future by the City Council, please check here: _____

List your Board/Commission Preferences in priority order below:

1. TOURISM DEVELOPMENT
2. _____
3. _____
4. _____

If you are interested in being considered for appointment through the City's Shadow Leadership Program for any of the Boards indicated above, please check here: _____

Name: KEN HAGAN Spouse: CINDY

Home Address: 901 GUMBRANCH RD

Work Name and Address: RETIRED

Home Telephone: 453-1523 Work Telephone: NONE

Fax: NONE Email Address: KHAGAN1@EC.RR.COM

Are you registered to vote in Onslow County: ☒ YES NO

Do you reside within the Jacksonville City Limits? YES If Yes, for how long: 40 YEARS

Do you reside within Onslow County? ☒ Or, is your place of employment within Onslow County? _____

Please describe your current and past Civic or Community Involvement:

STURGEON CITY BOARD, SPORTS COMMISSION BOARD,
ART COUNCIL BOARD, POP WARNER BOARD, UNITED WAY
BOARD, SCHOOL BOND COMMITTEE, ROTARY

Please describe special talents, experience, education or training that you feel qualifies you for service on the selected Boards or Commissions:

FORMER RECREATION & PARKS DIRECTOR
FORMER CITY MANAGER

Continued on Next Page

- Signature _____

Date _____

Contact Notes:



Request for City Council Action

Agenda Item:	7
Date:	10/4/2011

Subject: Designation of Voting and Alternate Voting Delegates for 2011 North Carolina League of Municipalities Annual Business Meeting
Department: City Clerk's Office
Presented by: Carmen K. Miracle, City Clerk
Presentation: No

Issue Statement

The North Carolina League of Municipalities Annual Conference is scheduled from October 23 – 25, 2011 in Raleigh, NC.

Under the League Constitution and the voting procedures established by the League Board of Directors, each member municipality sending delegates to the Annual Conference is required to designate one (1) voting delegate and one (1) alternate voting delegate to cast the City's votes at the Annual Business Meeting. This year's Annual Business Meeting will be held on Monday, October 24, 2011 at 2:15 PM.

The following members of Council are currently registered to attend the Annual Conference:

Mayor Sammy Phillips
Mayor Pro Tem Michael Lazzara
Council Member Jerry Bittner
Council Member Fannie K. Coleman
Council Member Jerome Willingham

Financial Impact

None

Action Needed

Nominate (1) Voting Delegate and (1) Alternate Voting Delegate
Close Nominations / Vote on Appointments

Recommendation

Appoint (2) members of Council to serve as the City's voting delegate and alternate voting delegate for the NCLM Annual Business Meeting.

Approved: ☒ City Manager ☐ City Attorney

Attachments:

None